MR. T. P. RAMASUBBA AIYAR (*Ag. Chief Secretary to Government*) : As a general rule it cannot certainly apply. That is the experience of the Department with reference to the guards alone. That is what the Conservator says.

Muslims and Public Service.

35. **MR. P. S. MAHOMED** (*Nominated*) : Will the Government be pleased to lay on the table a statement showing —

(*a*) the number of new appointments made in each of the Judicial and Education Departments, during the last three years (1100-1102);

(*b*) the number of Muslims appointed in each of the two Departments within that period;

(*c*) the number of persons who got the appointments referred to in part (*a*) and who continue in service to-day (18-7-1928) ; and

(*d*) the number of Muslims among them ?

MR. T. P. RAMASUBBA AIYAR (*Ag. Chief Secretary to Government*) : (*a*) to (*d*) The Government do not propose to collect the statistics as the time and labour involved in its collection would be out of all proportion to its possible utility.

Appendix.

***Vide* Answer to Question No. 42.**

List of roads constructed in the Agastisvaram taluk during 1098-1102.

1. Restoration of the old road between Kottar-Parvatiakaram road and Nagercoil-Santapuram road.
2. Opening a new road from 4/7 Parakkai-Manakkudi road to Tenganputur village.
3. Opening a branch road from Manakkudi to Sri Sankara Allom at Tamarakulam.
4. Opening a road from the 3rd mile of the Parakkai road to Pulluvilai.
5. Extending the road from Pulluvilai to Manikettupottal *via* Mukilanvilai.
6. Opening a 6 ft. path from Kakkad to the newly constructed well at Kakkad.
7. Road to Marukal Parasseri.

DEMANDS FOR GRANTS.

DEMAND I—LAND REVENUE.

MR. S. C H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Sir, I rise to move for a grant not exceeding Rs. 8,98,144 under Demand I—Land Revenue.

Motions 1 to 5.

The following motions were not made :—

MR. A. S. DAMODARAN ASAN :

1. To reduce the allotment of Rs. 15,534 for establishment by Rs. 776.

MR. A. THANU PILLAI :

2. To reduce the allotment of Rs. 19,767 for Land Revenue and Income Tax Commissioner by Re. 1.

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MR. P. S. MAHOMED :

3. To reduce the allotment of Rs. 19,767 for Land Revenue and Income Tax Commissioner by Rs. 100.

MR. K. P. NILAKANTA PILLAI :

4. To reduce the allotment of Rs. 57,859 for clerical staff by Rs. 1,163.

MR. A. S. DAMODARAN ASAN :

5. To reduce the allotment of Rs. 57,859 for clerical staff by Rs. 1,163.

Motion 6.

MR. A. THANU PILLAI (*Trivandrum*) : I beg to move the following motion :

To omit the allotment of Rs. 240 for temporary establishment for sorting out and arranging the records in the Quilon Division Cutcherry.

Sir, it is the duty of the members of the permanent staff that deal with the respective papers to arrange them at the proper time. The necessity for a temporary staff to arrange and sort these papers is not at all clear. To appoint a temporary staff to arrange them is to hold out a premium for disorderliness in the offices. On that principle I make the motion.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : The old records even before the separation of the Devaswom from the Land Revenue Department were in a hopeless state in that office. In 1924 I sent a report to Government pointing this out and asked for a sanction for two temporary clerks for the purpose of arranging the records. But Government thought that it had better lie over till the Director of Office Systems, Mr. Sekhara Menon, from British India, inspected the Quilon Dewan Peishkar's Office and reported on the matter. Mr. Sekhara Menon inspected the office and he found that it was absolutely necessary to have two clerks to sort these old records and he also found that it was not possible to do it with the existing staff. The rules about the records are very intricate. There is a great deal to be done ; the old cadjan records and the valuable land records have to be sorted and placed in certain order according to the Government rules on the matter. It is not possible to do this with the existing staff.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : May I know the nature of the staff now employed in keeping the records ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : There is one record clerk. Some years ago we asked for a temporary staff and Government granted that for six months. The work was done partly and it could not be completed. It is a pity to leave it at that stage, and we will insist on the work being finished within that time as otherwise the public and the Government will be put to difficulty. The records are in a hopeless state. Until we sort and keep them properly numbered in the shelves—

MR A. THANU PILLAI (*Trivandrum*) : May I know when the work was partly done ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I think it was in 1102.

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MR. A. THANU PILLAI (*Trivandrum*) : Was anything done this year, that is, in 1103?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : We have not got the staff. There is only one man there to look after the records. The clerks in that office are heavily worked,—over-worked. I tried to find out whether we could get clerks from other offices. I looked round but could not find anybody. We have first to convince Government and then the Finance Committee as to the necessity for this, and the last thing is this Council.

MR. A. THANU PILLAI (*Trivandrum*) : The Commissioner says that there is one clerk in charge of this work now. What is his work?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : As papers are recorded he has to index them and put them away in the records in their proper place. Then certain records liable to destruction after one year or two years have to be arranged in their proper places and have to be picked out for destruction. Every day fresh files are disposed of and the correspondence and notes and so on have to be given a serial number, marked in the registers and placed in the records.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : How is the accumulation being dealt with in the Kottayam Division office where conditions are similar.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I think a temporary staff was sanctioned for other offices and they finished the work.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : When was that sanctioned?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I think it was two years ago.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Why was an increase of staff made for the Quilon Division within the last two years? What is the actual bearing of the Devaswom separation with the arrears of land revenue records?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : In the old days the Revenue Department looked after Devaswom work as well. When the separation took place we had a large number of files to be separated from Devaswom and transferred to the Land Revenue Department.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Was a considerable number of clerks reduced on that ground?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Probably! Anyhow the staff was settled with the consent of the Council. I do not know the number reduced.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : If the need was so great, the necessity for additional clerks could have been urged at that time.

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MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : We cannot foresee all these things. We find a need only as things go on. It is only after sorting out these records that the public and the Government know that the records are in this state. I think it is absolutely necessary that a staff should be sanctioned for Quilon.

MR. A. THANU PILLAI (*Trivandrum*) : Was it considered necessary to put these records in order when the separation was effected ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Naturally in all offices where there was a separation they had to separate the records. But even before the separation I say that the records were in a hopeless state.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Nedumangad*) : If the records were in a hopeless condition at that time they should have been put in order long before this.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Yes. We have been asking for this for a long time. Under these circumstances I hope the member will withdraw the motion.

The motion was, by leave, withdrawn.

Motions 7 and 8.

The following motions were not moved :—

MR. TARIATU KUNJITOMMAN :

7. To reduce the allotment of Rs. 82,741 for establishment by Rs. 5.

MR. G. P. NILAKANTA PILLAI :

8. To reduce the allotment of Rs. 12,500 for travelling allowance of officers by Rs. 1,200.

Motion 9.

MR. K. G. PARAMESVARAN PILLAI (*Quilon*) : I move the following motion :

To reduce the allotment of Rs. 12,500 for travelling allowance of officers by Rs. 100.

ഈ ഉപക്ഷേപത്തെ ഞാൻ ഇവിടെ കൊണ്ടുവന്നിട്ടുള്ളതു, പേഷ്കാരന്മാർ പൊന്നും വിലയും കൊടുത്തു് സർക്കാരിലേക്ക് സ്ഥലം എടുക്കുന്നകാര്യത്തിൽ വളരെ അജാഗ്രതകാണിക്കുന്നതിനെ പറ്റി പറയുന്നതിനാണു്. കഴിഞ്ഞയാണ്ടിൽ പലവേലകൾക്കായി കൊല്ലം കരുനാഗപ്പള്ളി ഈ താലൂക്കുകളിൽ പുതിയ റോഡുകൾ വെട്ടുന്നതിന് ബഡ്ജറ്റിൽ പണം കൊള്ളിച്ചിരുന്നു. ആ പണം മുഴുവനും ലാപ്സായിപോയി.

ഇതുവരെയായിട്ടും അതിലേക്കു പേഷ്കാർ യാതൊരു നടപടിയും ചെയ്തതായി കാണുന്നില്ല. കഴിഞ്ഞയാണ്ടിൽ ചെയ്യുന്നതിന് ഉദ്ദേശിച്ചിരുന്ന ഒരു ജോലിയും ചെയ്യുന്നതിന് ഇടയായിട്ടില്ലാ. ജനപ്രതിനിധികൾ വളരെക്കാലമായി പ്രജാസഭയിലും നിയമസഭയിലും നിലവിളിച്ചതിന്റെ ഫലമായിട്ടാണു ഈ റോഡുകൾ വെട്ടുന്നതിനുപണം കൊള്ളിച്ചിട്ടുള്ളതു്. അതു ഇങ്ങനെ ലാപ്സായിപോകുന്നതു് വളരെ സങ്കട

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[Mr. K. G. Parameswaran Pillai.]

മാണു്. ഇങ്ങനെ ലാപ്സായിപ്പോയാൽ അടുത്ത ആണ്ടത്തെ ബഡ്ജറിൽ അതുക ചേർക്കാതേയും വരുന്നുണ്ടു്. ഈ മാതിരി പരാതി പലവർഷങ്ങളായി നടന്നുവരുന്നതിനെ തടയുന്നതിനു് റവന്യൂകമ്മീഷണർ പ്രത്യേകം ശ്രദ്ധിക്കുമെന്നുള്ള വിശ്വാസത്തോടുകൂടി ഈ ഉപക്ഷേപത്തെ അവതരിപ്പിച്ചുകൊള്ളുന്നു.

PRESIDENT: May I take it that the House permits him to withdraw the motion?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): He is moving it.

PRESIDENT: What he said was that as he places great trust and confidence on Mr. Robinson in the matter, he would withdraw the motion.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): It is only a mis-statement in presenting the motion.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Sir, I have looked into those five cases referred to by Mr. K. G. Parameswaran Pillai and I find that there has been no delay on the part of the officers concerned. For the purpose of acquiring lands, the standing orders first of all require that a reference should be made to the department concerned as to whether there is provision in its budget for the acquisition. After getting a reply from that department the Peishkar has to get the necessary valuation statements prepared by the village staff and Tahsildar. These have to be verified on the ground by the Tahsildar before they can be sent up to the Dewan Peishkar. Then, the owners have to be consulted and all claims to the land have to be carefully checked, the neighbours have to be questioned and a lot of other formalities have to be gone through. Very often wrongful claims are also preferred. Therefore all the formalities have to be gone into very carefully. In some cases wrong survey numbers are quoted and they have to be verified. All these take a long time. After these things have been done a draft declaration has to be sent up to the Government for publication in the Gazette. After that appears in the Gazette, another notification, under Clause IX of the Land Acquisition Regulation, has to be published. It is only in cases where lands are acquired under the emergency clause it could be taken charge of after 15 days from the date of publication of the notification in the Gazette. So, unless the Regulation itself is amended, we cannot get on with the work quicker. I may state here for the information of the House that every request that comes for acquisition of land is treated as urgent at every stage. As I stated already, so far as the five cases mentioned by the member, there has been no delay. Instances may arise where wrong survey numbers might have been given or a deviation may be required. It is these that cause the delay and we do our best to avoid delay as much as possible. Under these circumstances I hope the member will withdraw the motion.

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MR. K. G. PARAMESVARAN PILLAI (*Quilon*): മി. റാബിൻസൺ ഇതിലേക്കു വേണ്ടതുപോലെ നടത്താമെന്നു പറയുന്നതിനാൽ ഞാൻ ഒരു ഉപക്ഷേപത്തെ പിൻവലിച്ചിരിക്കുന്നു.

The motion was, by leave, withdrawn.

Motions 10 and 11.

The following motions were not moved :

MR. A. S. DAMODARAN ASAN :

To reduce the allotment of Rs. 17,500 for travelling allowance of officers and establishment by Rs. 6,000

MR. ITTOOP ITTEECHAN :

To reduce the allotment of Rs. 80,385 for Division Gutcherries by Re. 1

Motion 12.

MR. MATTHEW MURIKKAN (*Vaikam*) : I beg to move the following motion :

To reduce the allotment of Rs. 80,385 for Division Cutcherries by Rs. 10.

My object in bringing this motion is to discuss the question of separating judicial functions from the Revenue Officers. Sir, this is not a novel question. As far back as the days of Lord Cornwallis this question has been engaging the attention of the British Government. Afterwards this question of separation has been accepted by the Government of India and a Resolution was passed in the Legislative Assembly. Then the Bengal and the Madras Governments have constituted Committees for making enquiries into the question. Again some of the sister States also have accepted the theory of separation. Travancore also, in theory, has accepted it. But in fact it is not fully accepted. From the 2nd Session of the Sri Mulam Popular Assembly the Representatives of the people have been bringing this question to the notice of Government and, if I remember right, my friend Mr. Kunjitomman in the 18th Session of the Sri Mulam Popular Assembly discussed this subject and the then Dewan very kindly declared 'that there is no difference of opinion between the people and the Government in this matter". That is the formal recognition of the theory of separation of the judicial function from the Revenue officers. In substance also this theory has been accepted by our Government by divesting the judicial functions of some of the Tahsildars. But with that they have stopped and they have not progressed further. We feel that it is high time to apply this principle to the other officers of the Revenue Department also. It is not necessary for me to dwell upon the advantages of separating the judicial functions from the Revenue authorities. They are too patent. The question of division of labour speaks for itself, especially in the matter of administration of justice, where speedy work is appreciated very much. Much efficient work can be turned out if these functions are separated. Not only that; the judicial arthorities will get some sort of emancipation from the control of the executive authorities. On these and many other grounds which are too patent and recognised, I think it is not necessary for me to emphasise the importance of the question. Any how the Government, as far as

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[Mr. Matthew Murikkan]

I can understand, has been bringing to the notice of the public some objections. I read the reports of the committees appointed by the Bengal and Madras Governments on the subject but some of the suggestions made by them do not apply to Travancore. As far as Travancore is concerned, I think the question does not assume any serious proportions. We can get over the difficulty very easily ; I avail myself of this opportunity just to put in a suggestion.

There is the Revenue Commissioner who may be made the Head of the Department. Then some of the Division Assistants may be considered to be the Assistant Commissioners. The Peishkars will fulfill the duties of the District Magistrates, exercising all the functions of District Magistrates. Then the question arises with regard to the grade of Magistrates. There is the difficulty with regard to their promotion. What I submit is that they must certainly be men of better status and better pay. I also venture to suggest that the Magistrates may be put in the grade of Munsiffs and the whole administration effectively placed under the control of the High Court as in the case of Munsiffs.

MR. D. C. JOSEPH (*Agastisvaram*) : Will it not lead to additional expenditure ?

MR. MATTHEW MURIKKAN (*Vaikam*): I anticipated that and I am coming to it presently. I have my own explanation for that. The Magistrates may be recommended by the High Court and appointed by the Government. The only point is that the administration of Magistracy must be entirely under the supervision of the High Court so that it may be very effective. I do not mean to say that it is not effective now but the High Court may have better chances to excercise effective supervision. The most important point urged against this is the question of cost as was suggested now by my friend Mr. Joseph. The arrangement which I suggested, on the other hand, does not give room for great cost. We have got at present the Division Assistants and we are only converting them into Revenue Assistant Commissioners. The Peishkar will be the District Magistrate. As for the Magistrates we already have them but we have to give them only better pay. As for that matter I do not grudge to pay more for better administration of justice, though retrenchment is the order of the day. Though we discussed retrenchment during the general discussion of the budget, we cannot sacrifice better administration of justice for retrenchment, as it is one of the most important functions of a progressive State. With these words, I introduce my motion.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Sir, as the member has already pointed out, this is not a new question and it has been discussed in this House more than once. It is a big question and a complicated one and we have to proceed about it very cautiously. Government started to try and separate the Revenue Department from the Magisterial and for that purpose they took away the criminal work from nearly all the Tahsildars. There is a proposal,

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and it is under the consideration of Government, to take away the Magisterial functions from the Division Assistants and appoint separate First Class Magistrates so as to give the Division Assistants more time for Revenue work. It is under consideration and it is not easy nor advisable to pass hasty orders on it all at once. The question was raised in British India about the separation of Magisterial functions from the Executive and they found it can only be done in the case of Tahsildars. They found that Collectors and Sub-Collectors, have still to be in charge of revenue work as the Collector is the head of the District and has to keep and maintain peace in the District. He has also got to look after the interest of the officers of the District and the people. He is also responsible to Government as to what goes on in the District and it is necessary to leave all revenue work in British India under him because it is the revenue officer who comes in contact with the people whose welfare has to be looked after by Government. It is for that reason that they left it in the hands of the Collector. We also did what we could do in the way by taking away the Magisterial functions from the Tahsildars and as I said already there is a further proposal under consideration as to how far they can take away these powers from Division Assistants.

The mover said that if the Criminal work is put under the High Court it will be a better check. As it is the criminal work is not under the Land Revenue Commissioner but it goes to the High Court through the District Magistrate.

MR. MATTHEW MURIKKAN (*Vaikam*): What about the Administration of Criminal Justice?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): It does not go through the Land Revenue Commissioner. The District Magistrates deal directly with the High Court. As a matter of fact, the check which the member suggests is still in force. As a proposal on the subject is under consideration, I hope the member will withdraw the motion.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): May I know how many Tahsildars are there exercising magisterial functions?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*); Five.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Out of?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*); Thirty.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Will Mr. Robinson tell me whether if a Tahsildar-Magistrate is claiming promotion and if his revenue work is good and his magisterial work is bad, he will not secure promotion?

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MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I cannot say. It is only for Government to decide.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Suppose a Tahsildar-Magistrate is claiming promotion and his Magisterial work is very unsatisfactory and his revenue work is good, will he get promotion ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : The Government will consider the member's suggestion.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : What is the *member's* opinion ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I will make my recommendation and Criminal Officers will give their opinion.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Am I to take it that the member completely ignores him as a Magisterial Officer ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I give an opinion only about his revenue work.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : So the member ignores his capacity in magisterial work ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Sir, these are hypothetical questions and I doubt whether I can answer hypothetical cases like that. We are doing our best to do justice.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Hypothetical questions come in only in interpellations. Now we are at budget motions. Interpellations upon hypothetical points are restricted. Now it is a discussion on a token motion and I request you, Sir, to rule whether hypothetical questions are in order while we are discussing the question of separation of Revenue from the Magistracy.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I said I would give all the facts before me.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): May I know whether he will ignore all his disqualifications as regards the magisterial functions and place before Government his good work in regard to his revenue work ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I would mention to the Government all the facts before me. If it is brought to my notice that there is any report against a Magistrate, the Government will also be informed of it.

MR K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : How are you to know that?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : If I am aware of that.

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MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : I wish to know how he will become aware of it?

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*) : If the Dewan Peishkar and District Magistrate reports that there are allegations against a particular Magistrate it will also be reported to Government.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : May I know whether the Revenue Commissioner takes notice of the bad work done by Magistrates and whether he sits in judgment over them?

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*) ; I do not sit in judgment over them. But in making reports to Government I may say the question of his promotion may be deferred because certain charges are pending against him as a magistrate. In fact that is being done.

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഞാൻ ഈ ഉപക്ഷേപത്തെ അനുകൂലിക്കുന്നു. റവന്യൂ ഉദ്യോഗസ്ഥന്മാരിൽനിന്നും മജിസ്റ്റീരിയൽ ജോലി വേർതിരിക്കണമെന്നുള്ളത് ഇവിടെ ഇപ്പോഴം തുടങ്ങിയിട്ടുള്ള ഒരു അപേക്ഷയല്ല. അഞ്ചാമത്തെ പ്രജാസഭമുതൽ അതായത് കഴിഞ്ഞ ഫവ വർഷങ്ങൾക്കുമുമ്പായിതന്നെ ഈ സംഗതി ഗവണ്മെൻറിന്റെ ആലോചനയ്ക്ക് ഞങ്ങൾ വിഷയമാക്കീട്ടുണ്ട്. ഫ൦വ൫-൨൨൩ണ്ടത്തെ പ്രജാസഭ നടപടികൾ പരിശോധിച്ചാൽ അത് കാണാവുന്നതാണ്. ക്രിമിനൽ പ്രൊസീഡ്യർകോട്ട് അനുസരിച്ച് നാലുതരം മജിസ്ട്രേട്ടന്മാർ ഉണ്ടെന്ന് കാണാം. ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ട്, ഒന്നാംക്ലാസ് മജിസ്ട്രേട്ട്, രണ്ടാംക്ലാസ് മജിസ്ട്രേട്ട്, മൂന്നാംക്ലാസ് മജിസ്ട്രേട്ട് ഇങ്ങിനെയാണ്. ഇനി ഇവിടെ നടപ്പിലിരിക്കുന്നത് നോക്കിയാൽ മുൻസിഫ് മജിസ്ട്രേട്ട്, പേഷ്കാർമജിസ്ട്രേട്ട് അതായത്,ഡിസ്ട്രിക്ട് മജിസ്ട്രേട്ട്, ഡിവിഷൻ അസിസ്റ്റൻറ് മജിസ്ട്രേട്ട്, (ഒന്നാംക്ലാസ് മജിസ്ട്രേട്ട്)താസീൽദാർ മജിസ്ട്രേട്ട്, സ്റ്റേഷനറിമജിസ്ട്രേട്ട് പത്മനാഭപുരംഡിവിഷനിൽ അഡീഷണൽഡിസ്ട്രിക്ട്ഡിവിഷൻ അസിസ്റ്റൻറ് മജിസ്ട്രേട്ട്, ഇങ്ങിനെ പലതരത്തിൽഉണ്ട്. അതുകൊണ്ട് പലതരത്തിൽ ഉള്ള കുഴപ്പങ്ങൾ ഉണ്ടാകുന്നു. മജിസ്ട്രേട്ടന്മാർ മജിസ്ട്രേട്ടന്മാരായിതന്നെ ഇരിക്കേണ്ടതാണ്. ഇതിനെ മാറ്റുന്നതിന് ഉടൻതന്നെ നടപടിനടത്തണം. ഒരാളിൻറമേൽ ഉള്ള കേസ് തീർച്ചചെയ്യുന്നതിനു പലതരം ജോലികൾ ഉള്ള ഈ ഉദ്യോഗസ്ഥന്മാക്ക് എളുപ്പം സാധിക്കുന്നില്ല. റവന്യൂസംബന്ധമായും മറ്റുമുള്ള പല ജോലികളുടെക്രൂത്തിൽ മജിസ്റ്റീരിയൽജോലിക്രൂടിഅവരെ ഏല്പിക്കുന്നതുകൊണ്ട് ജനങ്ങൾക്ക് ശരിയായ രക്ഷ അപ്പഴപ്പോൾ കിട്ടുകയില്ല. കുറങ്ങൾ അമർച്ചചെയ്യുന്നതിനൊ ജനങ്ങളുടെ സമാധാനം പരി

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[Mr. Muruvelil Pachu Pillai.]

പാലിക്കുന്നതിനൊ ഇടവരികയില്ല. അതുകൊണ്ട് അതിനെ വേർതിരിച്ച് മജിസ്ട്രേട്ടന്മാരെ പ്രത്യേകം മജിസ്ട്രേട്ടന്മാരിയിതന്നെ നിയമിക്കേണ്ടതു് അത്യാവശ്യമാണു്. എന്റെസ്നേഹിതൻ മിസ്റ്റർ മാപ്പ് ചില വഴികാം മൂണ്ടിക്കാണിച്ചിട്ടുണ്ടു്. ഇപ്പോാം ഇവിടെ ഡിവിഷൻഅസിസ്റ്റൻറന്മാരുണ്ടു്. ഇവരെ അസിസ്റ്റൻറുകമ്മീഷണർമാർ എന്നു പേർകൊടുത്തു നാലഞ്ചു താലൂക്കുകാം ഒന്നിച്ചുചേത്തു ഒരാളെ വീതം നിയമിക്കുന്നതുനന്നായിരിക്കും. എന്നാൽ ഞാൻ പറയുന്നതു ഗവണ്മെൻറിനു അധികച്ചിലവുക്രൂടാതെ ഈകാര്യം നിർവഹിക്കുന്നതിനു ചിലമാർഗ്ഗങ്ങാം ഉണ്ടെന്നാണു്. തഹശീൽ മജിസ്ട്രേട്ടന്മാരുണ്ടു്. അവർ മജിസ്ട്രേട്ടന്മാരുടെ ജോലിക്രൂടി നോക്കിവന്നിരുന്നവരാണ്. അവക്കു മജിസ്ട്രേട്ട ജോലി നല്ലവണ്ണം ചെയ്യപരിചയമുണ്ടു. സ്റ്റേഷനറി മജിസ്ട്രേട്ടന്മാക്കു ഫസ്റ്റ് ക്ലാസ് അധികാരങ്ങാം മതിയാകുന്നതല്ല. അതുകൊണ്ടു ഇപ്പോഴത്തെ തഹശീൽദാർമാരെ മജിസ്ട്രീരിയൽജോലിയുക്കും സ്റ്റേഷനറി മജിസ്ട്രേട്ടന്മാരെ റവന്യൂജോലിയുക്കും മുമതലപ്പെടുത്തുന്നപക്ഷം വലിയ ചിലവു ഉണ്ടാകുന്നതല്ല. ഈ സംസ്ഥാനത്തിൽ ഇപ്പോാം നാലു ഡിസ്ട്രിക്ട്മജിസ്ട്രേട്ടന്മാരുണ്ടു്. അവരെ രണ്ടു ഡിസ്ട്രിക്ട മജിസ്ട്രേട്ടന്മാരായി കുറച്ചു സതേൺ ഡിസ്ട്രിക്ടിലേയ്ക്കും നാത്തേൺഡിസ്ട്രിക്ടിലേയ്ക്കും മാത്രം നിയമിച്ചാൽ മതിയാകും. അവരുടെ കൺട്രോാം ഹൈക്കോടതിക്കു ഉണ്ടായിരിക്കുകയും വേണം.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Will it not cause inconvenience to the public ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*): ഒരിക്കലുമില്ല. അപ്പോാം ഡിസ്ട്രിക്ട്മജിസ്ട്രേട്ടിനു വേറെ ഒരുജോലി ഇല്ല. ആകപ്പാടെ ഫസ്റ്റ് താലൂക്കുകളാണ് കോട്ടയം ഡിവിഷനിൽ ഒരു ഡിവിഷൻ ഉണ്ടായിരുന്നതു്. ഇപ്പോാം സംസ്ഥാനമൊട്ടുക്കുള്ള താലൂക്കുകളെ രണ്ടായി ഭാഗിച്ചു ഫസ്റ്റ് താലൂക്കുകളിലേക്കു ഒരു ഡിസ്ട്രിക്ട്മജിസ്ട്രേട്ടിനെവീതം നിയമിക്കുന്നപക്ഷം ഇപ്പോഴത്തെക്കാാം ജോലി നടത്തുന്നതിനു വലിയ പ്രയാസം നേരിടുകയില്ല. ക്രിമിനലായുള്ള ജോലികാം അതായതു അപ്പീലുകളും മറ്റും കോംക്കുന്നതിനും തീർക്കുന്നതിനും ആ സ്ഥലത്തുവച്ചുതന്നെ ധാരാളം സൌകര്യം കിട്ടും. പോരെങ്കിൽ ഇപ്പോാം മുമ്പിലത്തെക്കാാം യാത്രാസൌകര്യവും കൂടുതലുണ്ടു്.

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MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : മഞ്ചേരിയും കാളവണ്ടിയും മാത്രമുണ്ടായിരുന്നകാലത്തും നാല്പേഷ്കാരന്മാരേയുണ്ടായിരുന്നൊള്ളൂ?

MR. MURUVELIL PACHU PILLAI (*Shertallai*) : അതേ; മോട്ടാർവാഹനങ്ങളും മറ്റുമുള്ളതുകൊണ്ടു ഇപ്പോൾ സൌകര്യക്കുറവുണ്ട്. മറ്റു റവന്യൂആവശ്യങ്ങൾക്കായി സീ കോസ്റ്റുള്ള താലൂക്കുകൾ എല്ലാംകൂടി കൂട്ടിച്ചേർത്തു സീ കോസ്റ്റ് ഡിവിഷൻ എന്നൊന്നുണ്ടാക്കി അതിനെ ഒരു അസിസ്റ്റൻറ് കമ്മീഷണരുടെ അധീനത്തിലാക്കുന്നതു് വളരെ സൌകര്യമായിരിയ്ക്കും. അതു പ്രത്യേകമായിട്ടു ആലോചിക്കേണ്ട ഒരു വിഷയമാണെന്നു അഭിപ്രായപ്പെട്ടുകൊണ്ടു ഈ ഉപക്ഷേപത്തെ പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. A. THANU PILLAI (*Trivandrum*): Sir, the necessity of separating the Magistracy completely from the Revenue Administration has been accepted by Government. So far as our State is concerned the only question is whether that principle should be put into effect completely or not. It is a matter known to all that these functions are combined in the same Officer with the result that neither work is done as satisfactorily as it would otherwise be. When the Division Assistant is the First Class Magistrate we find that Criminal cases dealt with by him are not decided without considerable delay. That is the circumstance which ought to be seriously considered. Sir, there is considerable harm in delaying justice of any kind and when it is criminal justice every case should be taken up and promptly disposed of. I think it will not be difficult to find criminal cases having a pendency of several months. That can be effectively checked only if the separation is complete. The financial and other difficulties cannot be of a very serious nature considering the extent of separation that has already been effected. I also support this motion.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): Sir, I support the motion. The bifurcation of the revenue and magisterial functions is highly necessary. At present the District Magistrates do not find time to attend to their magisterial work properly. There are complaints that they attend to the magisterial work only very late and that they sit till very late at night, not because they are unwilling or reluctant to attend to their magisterial work but because they do not find time to attend to their revenue and magisterial work together. I submit that to ensure proper administration of criminal justice it is highly necessary that the revenue officers must be divested of their magisterial functions. These officers are human beings. So they cannot but carry with them impressions and prejudices that they form in their executive capacity. I therefore strongly support the motion.

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MR. MATTHEW MURIKKAN (*Vaikam*): In regard to the objections made mention of by the Land Revenue Commissioner, I just say I do not deny that the present administration of criminal justice is under the control of the High Court. I do know it. What I mean to say is that the Magistrates are not appointed by the High Court and their promotions do not rest with the High Court. I lay stress on that question and not on the question of supervision by the High Court over the administration of criminal justice. The evils of the present arrangement can be remedied only by a complete separation of the magisterial work from the executive officers. I therefore press the motion to a division.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I have already explained about the taking away of the magisterial functions.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Will Mr. Robinson tell the House whether it will not be possible to divest the remaining Tahsildar-Magistrates of their magisterial functions and to accept as a general principle the recruitment of magistrates by the High Court?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I think the first point may be considered; and we will do what we can. It is only a question of cost. As I said, there were only five Tahsildars having magisterial work. Very recently the number of such Tahsildars has been reduced to three. (*Louder please.*) As I have already stated we are trying to separate the magisterial work not only in the case of the few remaining Tahsildars but also in the case of the Division Assistants.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Will it be possible to effect a separation in the sense in which it is ordinarily understood, namely, not simply relieving the Tahsildars of their magisterial work but placing the subordinate magistrates under the control of the High Court in the matter of administration, recruitment and promotion? My question is confined to the subordinate Stationary Magistrates, leaving the District Magistrates to function as they do at present till some time longer. I want to know from Mr. Robinson whether it would not be possible to divest the remaining Tahsildar-Magistrates of their magisterial functions and to place the Stationary Magistrates as a body under the administrative and judicial control of the High Court.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): The question of separating the magisterial work from the few remaining Tahsildar-Magistrates will be considered. As far as possible that is what we are doing now. As regards the subordinate Magistrates I know nothing about them since they are not under me in any way.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): I think Mr. Robinson is now speaking on behalf of Government.

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MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I do not know anything about the subordinate magistrates. I have nothing to do with their work. I do not know who is senior among them. Many of them I have not even seen. I know nothing at all about them.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): We have now very little to do with the Land Revenue Commissioner. We are now dealing with Mr. Robinson as the spokesman of the Government.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): The subordinate Magistrates are not under the Land Revenue Commissioner. I do not quite know whether the member wants to take away the control that the District Magistrates have over the subordinate Magistrates. I do not know whether the Government consult the High Court about the appointment of these Magistrates. I do not think it relates to my department; so I can hardly give reply to it.

MR. MATTHEW MURIKKAN (*Vaikam*): I press for a division.

PRESIDENT: You may press for a division when the debate is over.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I really do not know whether the High Court are now consulted about the appointment of subordinate Magistrates or not. I have absolutely nothing to do with them. So, all that I can say is that the matter will be considered as suggested by Mr. Krishna Aiyangar.

PRESIDENT: Before we come to the division on this matter there is one aspect of the case which I see has not been brought forward and which I should like to commend to the notice of the House. That is, the Magistrates are not merely exponents of criminal law and administrators of criminal justice but they have also a certain executive function—for instance, keeping the peace, maintenance of law and order—where they act not in a judicial capacity. I would like the House to consider whether it is their wish, in this view of the case, that the Magistrates should be placed under the control of the High Court and that the High Court should be called upon to assume this function of the executive Government.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Would you kindly consider me, Sir, to be in order if I speak a few words on this point?

PRESIDENT: Strictly speaking, you are out of order. But, in my discretion, I allow you to speak just to make the position more clear.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I do not think it is the intention of anybody to deprive the Magistrates of the powers that they are now exercising for the maintenance of peace and order throughout the country. One essential condition of national progress is the maintenance of law and order. The District Magistrate and the subordinate Magistrates are given certain powers under the Code of Criminal Procedure which I do not believe

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[Rao Bahadur K. A. Krishna Aiyangar].

it is the intention of this House to take away from them even if the separation now asked for is to be effected. What is insisted upon is more a matter of principle, namely, that the administration of justice should not merely be pure, but should be absolutely beyond doubt. The executive should not be allowed to interfere with the judicial discretion of Magistrates. That seems, Sir, to have been the main ground of the agitation which has been going on in British India ever since the days of the first Indian National Congress.

PRESIDENT: But, for some time past, that principle has been accepted and is being acted upon in Travancore.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): So far as we are concerned we have made conisderable headway more than in British India in this matter and the functions have been separated and are at present being exercised by two classes of officers, one class purely for revenue work and the other purely for magisterial work. The further progress that is sought for is this. Let them not be under the control of the executive Government. Let them be under the control of the High Court. Whatever powers the District Magistrates and the other Magistrates can exercise under the Code of Criminal Procedure they can exercise whether they are under the control of the High Court or under the control of the Executive. As a matter of fact, it seems to me that the exercise of these powers by the subordinate Magistrates is subject to the revisional jurisdiction of the High Court even at present, and the executive as such, under the existing law, have not got any manner of judicial power to call in question the propriety of an order passed by Magistrates unless it be that, in the administrative side, Government can block the promotion of the individual or get rid of him as being incompetent.

PRESIDENT: One point I would like you to consider. It is only as an example. Suppose there is rioting in a certain place, and impending danger. Would you like it being left to the High Court to order the Magistrates, the Police or other executive officers to maintain peace and order in such a case?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Even in countries where there is complete separation of the executive from the judiciary, it is the Magistrate on the spot that does it; and the orders of the Magistrates are examined not by the executive in any country but only by the High Court.

PRESIDENT: Precisely so; the *judicial* acts of the Magistrate will be sat over *judicially* by the High Court.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Surely this is equally a judicial act of the Magistrate, namely asking the Police or the Military to fire on an unruly mob which does not disperse even after being asked to do so by the Magistrate in the

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exercise of the judicial discretion vested in him under the law; and it is not open to the executive to call in question the discretion so exercised. The revisional authority must necessarily vest in the High Court.

PRESIDENT: I think you are confusing two issues, one is the appellate authority to sit in judgment over the Magistrate and, the other, the force which stimulates him to action.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I believe the Dewan, as such, has not got any power under the law to order the Police to fire on a mob.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Government have got the responsibility to preserve law and order and to maintain peace. How is that to be done?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : It should be done by officers to whom the Government by legislation has delegated its original powers, a delegation which it is not open for the Government to recall.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Have the Government, apart from the District Magistrates, not got any responsibility to maintain peace and order?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : We are now considering the question of the separation of the executive from the Judiciary. We all know exactly what that means. It means, to ensure absolute purity in the administration of justice, to ensure conviction in the minds of large masses that their life and property are absolutely safe in the hands of duly constituted judicial officers who would not in any way be controlled by any action of the executive Government, this separation is essential. It is not, Sir, that the public entertains any serious doubt that the Government is going to abuse its powers and instruct the Magistrates to do things which under other circumstances they would not do. To bring the administration of criminal justice into line with the administration of civil justice it is suggested that there should be a body of judicial officers who should not have anything to do with the executive.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : Have not the Magistrates certain executive functions?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated Deputy President*) : Those executive functions are really judicial functions. I do not know what exactly my friend means. They have got certain executive functions which they exercise not under any *executive* authority but under the *judicial* authority vested in them under the Criminal Procedure Code.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : With reference to that, is the learned Deputy President saying that the Government have not got any responsibility to maintain peace and order?

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RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): The function of the District Magistrates is not proposed to be taken away. Certain exceptional powers are given to the Magistrates under the Criminal Procedure Code. It is not my idea to weaken that power. With reference to the administration of criminal justice in the land there is general anxiety on the part of the people and they press that so far as the recruitment and control are concerned the authority should be taken away from the executive and vested directly with the highest judiciary in the land, namely, the High Court. Government has got its own functions. But the Government does not discharge all the functions itself. Government has delegated much of it to the High Court under statutes. As a matter of fact the fiction is, Sir, that the King administers justice in person. Now he is administering it through agents to whom he has delegated his powers. The Judges of the High Court have therefore powers and privileges vested in them specifically by statutes. How does the separation of the Revenue and the Magisterial functions of the Tahsildars interfere with the great responsibility of the Government in the matter of maintenance of law and order? As I submitted—I am merely giving expression to my views; it may not be a practical proposition to urge the separation of the revenue and executive and judicial functions of the District Magistrates who are directly responsible for the peace of the land—it seems to me highly doubtful whether it is open to Government to instruct the District Magistrate to start a proceeding against a guilty individual by an executive order.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): If the recruitment of Magistrates is to be left to the High Court are the clerks of the Secretariat and other offices now recruited as Magistrates to be deprived of their chances?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, (Deputy President*): That is a matter of detail which the Government, as the highest authority, should regulate by proper rules. When we ask for the recruitment of the Magistrates to be in exactly the same position as the recruitment of Munsiffs—

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): May I know whether, if the recruitment is transferred to the High Court it will not necessarily lead to the field being confined to the High Court office and the Bar?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): The High Court will be controlled by rules of Government in the matter of recruitment. Government may make rules to the effect that only persons of particular qualifications should be enrolled as Magistrates and so on. The High Court will be bound by such rules. These are matters of administrative detail.

MR. P. GOMATINAYAGOM PILLAI (*Ag. Excise Commissioner*): May I know from the member whether the administration of criminal justice by Stationary Magistrates is better than the administration of criminal justice by Tahsildar Magistrates?

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RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I think it will be rather unfair on my part to express any opinion on the relative merits of Stationary Magistrates and Tahsildar-Magistrates. I presume their work is being properly looked after by the higher appellate authority.

MR. P. GOMATINAYAGOM PILLAI (*Ag. Excise Commissioner*) : Is it not a fact that the Stationery-Magistrates do not appreciate the force of the evidence before them ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : That may be from the point of view of a Police officer who is anxious to secure conviction in every case.

MR. P. GOMATINAYAGOM PILLAI (*Ag. Excise Commissioner*) : I am not speaking from the point of view of the Police officer.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I think, Sir, that this House should not commit itself to any opinion with reference to the work of any of the judicial officers in the State. It is outside the province of the House.

MR. P. GOMATINAYAGOM PILLAI (*Ag. Excise Commissioner*) : I speak of the system.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : The system will be quite as good even if it is under the control of the High Court as it is when under the control of Government. It is certainly a matter which admits of honest differences of opinion. I merely submit, from the popular standpoint that there has been a serious agitation not by impatient agitators crying for the moon but by men of sober experience, capacity and intelligence, eminent judges, including a former Chief Justice of the Calcutta High Court. Eminent judges went on a deputation to the Secretary of State years ago praying for the separation of the magisterial work from the executive and revenue functions. But somehow the British Government have been putting it off.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*) : എക്സിക്യൂട്ടിവ് ഉദ്യോഗസ്ഥന്മാർ മജിസ്ട്രേട്ടന്മാരായിരിക്കുന്നതുകൊണ്ട് എക്സൈസ്, ഫാറസ്റ്റ് മുതലായ ഡിപ്പാർട്ടുമെന്റു കേസുകളിൽ ശരിയായനീതി കിട്ടുമെന്നു വിചാരിക്കാൻ ന്യായമുണ്ടോ?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*) : I am not for doubting the honesty of any magistrate or any judicial officer, whatever my friend's experiences might have been. It all depends upon how matters are presented. It is perfectly possible to secure justice in this State. I am not prepared to believe that our Magistrates are of such poor moral calibre as to be swayed by these considerations. I merely refer to the possibility of popular misconception with reference to the absolute impartiality and integrity of the subordinate magistrates if they are under the executive, I merely suggest that the reforms now sought for cannot be said to be so revolutionary as to be opposed for all time to come.

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MR. MATTHEW MURIKKAN (*Vaikam*): I think—

PRESIDENT : You cannot speak three times.

This debate has taken such a serious turn that I think it is necessary for me to sum it up. Mr. Krishna Aiyangar, I believe, laid emphasis on the fact that he was speaking personally. I think he has somewhat clouded the issue. If his conclusions have to be taken as settling the issue, it means that the High Court in effect should become the custodian of, and the chief executive officer for, the maintenance of law and order in the country. That is a prime responsibility which rests immediately upon the Government and entirely upon the Government of a country. The repression of crime, maintenance of law and order, keeping of the peace, are all functions exercised by the Government through the magistracy. For these purposes the executive Government have invested the magistracy with certain powers; and it is therefore from delegation flowing from Government that the Magistrates exercise that power. If Government are to be severed completely from the magistracy, if the magistracy are to be entirely discarded from the administration, it simply follows that, as Mr. Krishna Aiyangar has suggested, the High Court should become the chief functionary of the State and should take off from the Government the functions of keeping of the peace, maintenance of law and order and the repression of crime; and not merely look to the punishment of offenders as they do at present but should also discharge the duties of keeping the country free from the offender. In that case may I ask, who is going to enforce the High Court's mandates? It is the executive Government that has to do this. All that rests with the Government.

Then again, Mr. Krishna Aiyangar and one or two others laid considerable stress upon the principle of the agitation that exists somewhere else for separating the executive from the judiciary so that the executive may not, as it were, have its hands at the throat of the judiciary for all time. I do not think it is necessary for us to labour that point so far as Travancore is concerned, because that principle has long been accepted by the Travancore Government; and I think nobody will dare accuse the Government of Travancore, with its duly constituted courts of justice, that they interfere with the administration of justice. With this I leave it to you to come to a decision of the case.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : Last time there was a ruling that the House must vote upon only a particular issue. I wish to know the particular issue, if there is any, that we have now to vote upon. We cannot vote if there are two or three issues.

PRESIDENT : There is only one issue, viz,, that the magistracy be transferred to the sole control of the High Court in its executive capacity as well as in its judicial capacity.

MR. MATTHEW MURIKKAN (*Vaikam*): My motion is not for transferring the magistracy to the High Court. I only propose that the revenue authorities should be divested of their magisterial functions.

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PRESIDENT: That was your motion. But the discussion turned and finally settled on the point that the magistracy should be transferred to the High Court. Therefore that is the issue now before the House for decision.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): The member moved on one issue. The discussion has resolved in another issue.

PRESIDENT: In a token motion anybody can bring in any issue that he likes irrespective of the issue raised by the mover. The issue on which the House has to vote depends on the turn which the debate has taken.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): The ruling that was passed on the last occasion was that if several issues are brought in, the decision of the House will not have any value.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The ruling was that if several points are debated and voted upon by the House it could not be known what the actual decision of the House was. The decision of the House could be known only if some specific point is voted upon.

PRESIDENT: When the issue is confused and when many issues have been placed before the House none of the voters can say what he is voting upon.

MR. MATTHEW MURIKKAN (*Vaikam*): I press for a division. When I made the motion I clearly stated that my object was to divest the revenue authorities of their judical functions. So, that is the issue.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It does not depend upon the settlement. The mover may speak on one subject. Another member may speak on another subject, and a third may speak on yet another subject. But when the vote is taken it will be for the President to decide what was the issue that the House voted upon.

MR. MATTHEW MURIKKAN (*Vaikam*): In the notice of my motion I have clearly stated the issue.

PRESIDENT: One or two members clearly stated that the magistracy should be transferred to the High Court and the discussion mainly turned upon that point. It seems to me therefore that that is the most important issue.

MR. MATTHEW MURIKKAN (*Vaikam*): When I made the motion I clearly stated the issue.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Before the matter is placed before the House I would just like to know from the mover whether he intends his motion to apply to District Magistrates also or whether he confines himself to subordinate Magistrates.

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MR. KAYALAM. PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : It is in regard to that that I submitted that in a token motion irrespective of the subject upon which the mover has spoken the other members may speak upon any subject they like ; when the vote is recorded it is not open for the mover or any other member of the House to claim to decide the issue himself. The President may decide it in the nature of the turn that the debate has taken.

PRESIDENT : That point has already been ruled upon in the last Council.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Is not the mover entitled to fix the issue ?

PRESIDENT : In the case of a token motion, when several other issues have been brought in by the other members, it is for the President to decide the issue that the House voted upon.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) ; Can the members of the House confuse the issue raised by the mover ?

PRESIDENT : In a token motion each member can speak on his own issue.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*) : As it is, I think we are asked to vote upon the issue specified by the President.

MR. MATTHEW MURIKKAN (*Vaikam*): My motion refers only to divesting the revenue officers of their judicial functions.

PRESIDENT : The issue has passed beyond your motion.

MR. MATTHEW MURIKKAN (*Vaikam*) : If it has gone beyond my power I press for a division in regard to the separation of the judiciary from the executive.

PRESIDENT : I have ruled more than once that the issue is the transfer of the executive and judicial functions of the whole of the magistracy entirely to the High Court.

MR. MATTHEW MURIKKAN (*Vaikam*) : I press for a division on my issue.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : Who suggested that, Sir ?

PRESIDENT : I put the suggestion to the House. I asked the House to consider that aspect of the case. It is upon that that the discussion turned.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : It did not turn upon that at all. Our point was that the magisterial functions should be controlled by the High Court. That is our point.

PRESIDENT : You see, Mr. Madhavan Pillai, as I endeavoured to point out, there were two issues that were brought in, one is the existing state of affairs as pointed out by the Deputy President—and certainly we do not want the existing state of affairs to be voted upon—and the other is that the magistracy, in both its judicial and executive

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functions, should be transferred entirely to the control of the High Court. That is the issue in which the House was involved in the course of the debate.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Why should emphasis be laid upon the views of one member alone while the mover and several other members have laid emphasis on the separation of the magisterial functions of the Revenue Officers?

PRESIDENT: As the Deputy President pointed out there is separation already.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): There are still five Tahsildars who are exercising magisterial functions also.

MR. T. P. RAMASUBBA AIYAR (*Ag. Chief Secretary to Government*): There are now only three Tahsildar-Magistrates.

PRESIDENT: They function in different capacities.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): We do not want the two functions to be exercised by one and the same person.

PRESIDENT: Then, what do you want the issue to be?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): None of the Tahsildars should have magisterial functions.

MR. MATTHEW MURIKKAN (*Vaikam*): Then I come down to that issue.

PRESIDENT: If you would be a little more explicit would you say that the three Tahsildars should be divested of their magisterial functions?

Government accept it as a matter of principle.

MR. MATTHEW MURIKKAN (*Vaikam*): I withdraw the motion.

PRESIDENT: Does the House permit the motion to be withdrawn?

The motion was, by leave of the House, withdrawn.

Motion 13.

MR. N. R. KRISHNAN (*Nominated*): ഡിവിഷൻ കച്ചേരിയ്ക്കുവേണ്ടി ചിലവിട്ടിട്ടുള്ള തുകയിൽ വ്യവസ്ഥ ചെയ്തിരിക്കുന്ന തുകയിൽ നിന്നും പത്തുരൂപ കുറയ്ക്കണമെന്നാണ് എന്റെ ഉപക്ഷേപം.

ആ ഡിപ്പാർട്ടുമെന്റിലെ ഉദ്യോഗസ്ഥന്മാരുടെ നടത്തയെ വിമർശനം ചെയ്യുന്നതിനു മാത്രമാണ് ഈ ഉപക്ഷേപം സഭമുമ്പാകെ അവതരിപ്പിക്കുന്നത്. ഈ രാജ്യം കർഷകരാജ്യമാകുന്നു. ഇവിടെയുള്ള ജനങ്ങളിൽ അധികഭാഗവും ഒരു പ്രകാരത്തിൽ അല്ലെങ്കിൽ മറെറാരു പ്രകാരത്തിൽ ഈ ഡിപ്പാർട്ടുമെന്റിനെ ആശ്രയിച്ചു ജീവിക്കേണ്ടവരാകുന്നു. ഇങ്ങനെ ഏറെറവും പ്രധാനപ്പെട്ട ഈ ഡിപ്പാർട്ടുമെന്റിൽ ഈരാജ്യത്തെ ഒരു വലിയ ഭാഗം വരുന്ന ജനവിഭാഗത്തിനു പ്രവേശനം നൽകാതെ പിന്നോക്കം നിൽക്കിയിരിക്കുന്നു. ഇതു ഈ രാജ്യത്തെ ഭൂരിപക്ഷം

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[Mr. N. R. Krishnan.]

ജനങ്ങൾക്കു സങ്കടകരമായ കാര്യമാണെന്നു പലപ്രകാരത്തിലും ഗവണ്മെൻറിനെ ബോദ്ധ്യപ്പെടുത്തിയതിന്റെ ഫലമായി, നാലഞ്ചു കൊല്ലത്തിനു മുമ്പു, ഈ ഡിപ്പാർട്ടുമെൻറിനെ ദേവസ്വത്തിൽനിന്നും വേർ തിരിച്ചു. ഇപ്രകാരം ചെയ്തതു ഈ രാജ്യത്തെസകല പ്രജകൾക്കും ഒരുപോലെ റവന്യൂ ഡിപ്പാർട്ടുമെൻറിൽ പ്രവേശനം നൽകുന്നതിനാണ്. വലിയഭഗീരഥപ്രയത്നം ചെയ്തു റവന്യൂ ദേവസ്വം വേർതിരിച്ചശേഷവും റവന്യൂഡിപ്പാർട്ടുമെൻറിൽ എല്ലാവർക്കും പ്രവേശനം അനുവദിച്ചെങ്കിലും അതുകൊണ്ടു ഉദ്ദേശിച്ചഫലം ലഭിച്ചില്ല എന്ന് ഈ സഭമുമ്പാകെ പറയേണ്ടിവന്നതിൽ വ്യസനിക്കുന്നു.

ഈ ഡിപ്പാർട്ടുമെൻറിൽ നാന്നൂറിൽ ചിലപ്പോൾ പാവ്വത്യകാരന്മാരുണ്ട് എന്നു കണക്കുകൊണ്ടുകാണാം. സാധാരണപാവ്വത്യകാരന്മാരാണു ഈ രാജ്യത്തെ സകലപ്രജകളുമായിട്ടു ഇടപെടുന്ന ജീവനക്കാർ. അവരുടെ കൂട്ടത്തിൽ മഹമ്മദീയരുടെ പേരുകാണുന്നില്ല. ഈഴവരിൽ ഒരാളുടെ പേർ കാണുന്നു. കത്തോലിക്കു് ക്രസ്ത്യാനികളിൽ രണ്ടുപേരെകാണുന്നു. ഇത്രദീർഘകാലം ഞങ്ങൾ ഞങ്ങളുടെ സങ്കടങ്ങളെ ഗവണ്മെൻറിനെ അറിയിച്ചശേഷവും ഇത്രവളരെ സാവകാശത്തിൽ ഞങ്ങളെ പ്രവേശിപ്പിക്കുന്നതു് വലിയകഷ്ടമാണു്. ഇക്കണക്കിനു ഞങ്ങളുടെ സങ്കടം അവസാനിക്കുന്നതിനു വളരെകൊല്ലം വേണ്ടിവരുമെന്നു തോന്നുന്നുണ്ടു്.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industries, South*): പാവ്വത്യകാരിൽ മഹമ്മദീയർ എത്രയുണ്ടു്?

MR. N. R. KRISHNAN (*Nominated*): അതുംതന്നെ ഇല്ലെന്നുപറഞ്ഞു കഴിഞ്ഞു. എന്റെ പ്രസംഗം ശ്രദ്ധിച്ചിരുന്നാൽ മെമ്പർ ഈ ചോദ്യം ചോദിക്കേണ്ടിവരികയില്ലായിരുന്നു.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industries, South*): തമിഴരുണ്ടോ?

MR. N. R. KRISHNAN (*Nominated*): തമിഴരുടെ കണക്കു എന്റെ കൈവശമില്ല. ഈ സഭമുമ്പാകെ ഇതിനെ സംബന്ധിച്ചു ഇതിനുമുമ്പു ഒരു മെമ്പർ സംസാരിച്ച അവസരത്തിൽ മി. റാബിൻസൺ പറഞ്ഞമറുപടി ഇപ്രകാരമായിരുന്നു.

"Government will consider the question about setting apart a fixed percentage for the direct recruitment of Proverthikars and therefore I think the member will be kind enough to withdraw the motion."

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അതായത് അക്കൌണ്ടൻറായി പഴകി അവരെ പാവ്വത്യകാരന്മാരായി നിയമിക്കയാണ് ഗവണ്മെൻറിൻെറ പഴയ നടപ്പു എന്നാണ്. അതുകൊണ്ടു പാവ്വത്യകാരന്മാരിൽ ഒട്ടുമുക്കാൽഭാഗവും മറു സമുദായക്കാക്കുമാത്രമെ ലഭിക്കയൊള്ളു എന്നാണു് അത്ഥമാക്കേണ്ടതു്. ഇതു വളരെ സങ്കടമാണ്. പാവ്വത്യകാരന്മാരാകുന്നതിനു എന്തു പരീക്ഷായോഗ്യത വച്ചിരുന്നാലും അതു മറു സമുദായക്കാരും പാസ്സാകുന്നപക്ഷം അവരെ എന്തുകൊണ്ടു നിയമിക്കാൻപാടില്ല. അക്കൌണ്ടൻറു മുത്തു പാവ്വത്യകാരാക്കുന്നനയം തീരെ ആശ്വാസജനകമായി തോന്നുന്നില്ല. മുമ്പിനാലെ അവർണ്ണഹിന്ദുക്കൾക്കും അഹിന്ദുക്കൾക്കും ഇതിൽ പ്രവേശനം ലഭിക്കാതിരുന്നതുകൊണ്ടു ഈ വഗ്ഗങ്ങൾക്കു് അക്കൌണ്ടന്മാരായിട്ടു ഡിപ്പാർട്ടുമെൻറിൽ പ്രവേശിക്കാനും സാധിച്ചിട്ടില്ല. എന്നാൽ ലാൻറുറവന്യൂകമ്മീഷണരാഫീസിൽവേണ്ട പ്രാതിനിധ്യം നൽകുന്നുണ്ടു്. അതിലേക്കു കമ്മിഷണരെ അനുമോദിക്കുന്നു. രാജ്യത്തിൻെറ നാനാഭാഗങ്ങളിൽ ഉള്ള റവന്യൂവകുപ്പുകളിൽ എന്തു നടക്കുന്നു എന്നന്വേഷിച്ചു് അതിനു പരിഹാരം ഉണ്ടാക്കാതെ കമ്മീഷണർ ആഫീസിൽമാത്രം പ്രാതിനിധ്യം നൽകുന്നതുകൊണ്ടു ഒരു വിശേഷവുമില്ല.

MR. P. S. MAHOMED (*Nominated*) : മഹമ്മദീയർ കമ്മീഷണരാഫീസിലുണ്ടൊ?

MR. N. R. KRISHNAN (*Nominated*): ഞാൻ ഇവിടെ പാവ്വത്യകാരന്മാരുടെ കണക്കുമാത്രമേ പറയുന്നൊള്ളു. ലാൻറുറവന്യൂകമ്മിഷണർ അദ്ദേഹത്തിൻെറ ആഫീസുവിട്ടു പുറത്തുള്ള നിയമനങ്ങളിൽ ദൃഷ്ടിപതിച്ചു ഇന്നത്തെ അസമത്വങ്ങളെ നീക്കുമെന്നു വിശ്വസിക്കുന്നു. കത്തോലിക്കസമുദായത്തിൽനിന്നും ഒരു പേഷ്ക്കാരുണ്ടു്.

MR. A. C. KURIAKOSE (*Minachil cum Devikolam*) : കത്തോലിക്കസമുദായത്തിൽനിന്നും പേഷ്കാരന്മാരുണ്ടോ?

MR. N. R. KRISHNAN (*Nominated*): കത്തോലിക്കസമുദായമല്ല. ക്രസ്ത്യാനികളിൽനിന്നും ഒരു പേഷ്കാരുണ്ടു്. എന്നാൽ അവർണ്ണസമുദായത്തിൽനിന്നും ഇതുവരെയായിട്ടും ഒരു പേഷ്കാരേയും നിയമിച്ചിട്ടില്ല. ഈമാതിരിയുള്ള അസമത്വങ്ങളെ നീക്കുന്നതിനുള്ളകാലം അതിക്രമിച്ചിരിക്കുന്നു എന്നു ഈ അവസരത്തിൽ പ്രസ്താവിച്ചുകൊള്ളട്ടെ.

അവസാനമായിട്ടു പറയാനുള്ളതു് പൊതുജനോപയോഗത്തിനായിട്ടു് ഇട്ടിരിക്കുന്ന കുളങ്ങളെ പതിച്ചുകൊടുക്കുന്നതിൽ പേഷ്ക്കാരന്മാർ

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[Mr. N. R. Krishnan.]

ബ്രഹ്മശ്രീമന്മാരായിരിക്കുന്നതിനെ പറ്റിയാണ്. ഞാൻ ചേത്തല താലൂക്കിലുള്ള സംഗതിയെ മാത്രം അടിസ്ഥാനമാക്കിയാണ് പറയുന്നത്. മൂന്നും നാലും അഞ്ചും ഏക്കർ വിസ്തീർണ്ണമുള്ള കുളങ്ങളെ പതിച്ചുകൊടുക്കുന്നുണ്ട്. കുളങ്ങാം പൊതുജനോപയോഗത്തിന്നായി മാത്രം ഒഴിച്ചിടണം. അല്ലാതെ പ്രൈവറ്റ് ഏജൻസിക്കായിട്ട് പതിച്ചു കൊടുക്കുന്നത് തീരെ ആശാസ്യമല്ല. ഒരു സംഗതിയിലും ഗവണ്മെൻറിന്റെ ദൃഷ്ടി പതിയണമെന്ന അഭിപ്രായപ്പെട്ടുകൊണ്ട് ഒരു ഉപക്ഷേപത്തെ സഭയുടെ പര്യാലോചനയ്ക്കായിഅവതരിപ്പിച്ചുകൊള്ളുന്നു.

MR. P. S. MAHOMED (*Nominated*): ഞാൻ ഒരു ഉപക്ഷേപത്തെ പിൻതാങ്ങുന്നു. വളരെക്കാലമായി ഒരു ഡിപ്പാർട്ടുമെൻറിൽ എല്ലാ ജനങ്ങാംക്കും പ്രവേശനം ലഭിക്കാതിരുന്ന് മുറവിളി കൂട്ടിയതിന്റെ ഫലമായിട്ടാണ് റവന്യൂ ദേവസ്വം വിഭജനം നടത്തിയത്. അതിന്റെ ഉദ്ദേശം റവന്യൂ ഡിപ്പാർട്ടുമെൻറിൽ എല്ലാ സമുദായക്കാക്കും പ്രവേശനം നൽകണമെന്നുള്ളതാണ്. ആ ഉദ്ദേശം ശരിയായി സാധിക്കുന്നില്ലെങ്കിൽ ഇങ്ങനെ ഒരു വിഭജനം ആവശ്യമില്ലായിരുന്നു. നാലഞ്ചു വർഷമായിട്ടും ഒരു ഉദ്ദേശം നിറവേറുന്നതിന് ഗവണ്മെൻറിനു സാധിച്ചിട്ടില്ല. ഇതിൽപരം സങ്കടം മറെറാന്നും തന്നെയില്ല. പാവപ്പെട്ട കുടിയാന്മാരുടെ കുട്ടത്തിൽ മഹമ്മദീയർ ഒന്നുംതന്നെയില്ലെന്ന എന്റെ സ്നേഹിതൻ പറഞ്ഞുവെങ്കിലും ഒരാൾ ഉണ്ടെന്നു എനിക്കറിവുണ്ട്.

MR. N. R. KRISHNAN (*Nominated*): കഴിഞ്ഞ വർഷത്തെ കണക്കനുസരിച്ചാണ് ഞാൻ പറഞ്ഞത്.

MR. P. S. MAHOMED (*Nominated*): ഈ ആണ്ടിൽ ഒരു മഹമ്മദൻ പാവപ്പെട്ട കുടിയാനുണ്ട്. റവന്യൂദേവസ്വം വിഭജനം കഴിഞ്ഞിട്ട് ആറുകൊല്ലമായിരിക്കുന്നു. ഈ ആറുകൊല്ലത്തിന്നിടയ്ക്ക് ഒരു മഹമ്മദീയനേയും രണ്ടു ഈഴവനേയും മാത്രമേ നിയമിക്കാൻ ഗവണ്മെൻറിനു സാധിച്ചിട്ടുള്ളുവെങ്കിൽ അസമത്വം അനുഭവിക്കുന്ന സമുദായക്കാക്കു ശരിയായപ്രാധിനിധ്യം ലഭിക്കാൻ ഇനിയും എത്രകാലം വേണ്ടിവരുമെന്നു കണ്ടുതന്നെ അറിയേണ്ടിയിരിക്കുന്നു. ഇതുവരെയും ഞങ്ങാംക്കു നിരാശയ്ക്കാണ് മാർഗ്ഗം ഉണ്ടായിട്ടുള്ളത്. ഈ സ്ഥിതി ആലോചിക്കുമ്പോാം റവന്യൂദേവസ്വം വിഭജനം നടത്താതെ ഇരിക്കേണ്ടതായിരുന്നു. എന്നാൽ ഞങ്ങാംക്കു സങ്കടത്തിന്നു അവകാശമില്ല. ഇപ്പോാം ഭക്ഷണം ഞങ്ങളുടെ മുമ്പിൽ വച്ചിട്ടുണ്ട് എന്നാൽ ഞങ്ങാംക്കു അതു തൊടാൻ പാടില്ല.

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അതിനേക്കാൾ നല്ലതു ഭക്ഷണം മുമ്പെവയ്ക്കാതിരിക്കുന്നതല്ലേ? ഈ സങ്കടം പറയാതിരിക്കാൻ നിവൃത്തിയില്ല. ഇതിൽ മറുള്ള സമുദായക്കാക്കു ഒരു വിഷമവും വരാനില്ല.

തിരുവിതാംകൂറിൽ സമുദായമത്സരങ്ങൾക്കു മുഴുവനും കാരണം ഉദ്യോഗസ്ഥന്മാർ വേണ്ടവിധത്തിൽ പ്രവർത്തിക്കാത്തതാണു്. ജനങ്ങൾക്കു തമ്മിൽ മറുകായ്ക്കളിൽ രാഷ്ട്രീയമത്സരം ഉള്ളതായിട്ടു എനിക്കറിവില്ല. ഇന്നുവരെ കണ്ടിട്ടുമില്ല. സമുദായമത്സരം ഉദ്യോഗത്തിന്നുവേണ്ടിയാണുണ്ടാകുന്നതു്. ഇതിനെ സംബന്ധിച്ചു ഗവണ്മെൻറുത്തരവുകാം ശരിയായിട്ടുണ്ടെങ്കിലും ഉദ്യോഗസ്ഥന്മാർ അതിനെ വകവയ്ക്കാതെ നിസ്സാരമായിട്ടു തള്ളിക്കളയുന്നു. സമുദായ പ്രാധിനിധ്യത്തെ ശക്തിയായിട്ടു എതുത്തുകൊണ്ടിരുന്ന എൻെറ ഒരു സ്നേഹിതനും കഴിഞ്ഞ കൌൺസിലിലെ മെമ്പരും ആയ മി. കെ. സി. മാമൻമാപ്പിളയുടെ അഭിപ്രായം ഞാൻ ഇവിടെ ഉദ്ധരിച്ചുകൊള്ളട്ടെ.

"I may also say that the more advanced communities should also try their best to safeguard the claims of their weaker brethren. Government will have to take into account adequate communal representation and also the question of efficiency. There is the usual reply of Government that the claims of various communities consistent with efficiency will be duly taken into account. Of course, that is a very good exposition of the policy in theory but in practice it is not possible to carry it out satisfactorily. I think if you look into the Service Registers and also if you read the returns submitted by the Heads of the various departments as embodied in the replies of the Government to various questions asked in the Council, it will be admitted that there is over-representation of certain communities which is absolutely unjustifiable and under-representation of other communities which is equally unjustifiable. I think the Government themselves admitted on certain occasions that though there were applicants from under-represented communities the Heads of Departments have appointed men from over-represented communities and they have given no satisfactory explanation for their conduct. I think if sufficient notice is taken of the dereliction on the part of these appointing authorities some redress may be given and I was very seriously disappointed when the Government were themselves admitting their inability to enforce the rule that when there are applicants from various communities possessing the requisite qualifications, the claims of the under-represented communities should be given preference. In spite of this clear dictum they themselves were admitting that several Heads of Departments have not given effect to the order. That is a state of things which should not be tolerated."

ഇതിൽ നിന്നും ഗവണ്മെൻറു അയയ്ക്കുന്ന ഉത്തരവുകൾ ഡിപ്പാർട്ടുമെൻറു അധികൃതന്മാർ വകവയ്ക്കുന്നില്ലെന്നു മനസ്സിലാകുന്നു. ഇതു ഞങ്ങൾക്കു സങ്കടകരമാണെന്നു മാത്രമല്ല ഗവണ്മെൻറിൻെറ അന്തസ്സിനും പോരാത്തതാണു്. ഗവണ്മെൻറുത്തരവിനെ കീഴ്ദ്യോഗസ്ഥന്മാരെക്കൊണ്ടു് അതുപടിഅനുസരിപ്പിക്കുന്നതിൽ ശ്രദ്ധിക്കുന്ന പക്ഷം ഞങ്ങളുടെ സങ്കടത്തിന്നു പരിഹാരം ഉണ്ടാകുന്നതാണു്. ഇതുയും പറഞ്ഞുകൊണ്ടു് ഈ ഉപക്ഷേപത്തെ പിൻതാങ്ങികൊള്ളുന്നു.

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MR. TARIATU KUNJITOMMAN (*Muvattupuzha cum Todupuzha*) : സർ, ഞാൻ മി: കുഞ്ഞന്റെഉപക്ഷേപത്തെ ബലമായി പിൻതാങ്ങുന്നു. ലാൻറ റവന്യൂ വകുപ്പിൽ പ്രവേശനം ഇല്ലാത്തവർക്കാരുടെ തുടച്ചയായിട്ടുള്ള ആവലാതികളുടെ ഫലമായിട്ടാണു റവന്യൂദേവസ്വം വിഭജനം നടത്തിയതു. അതു കഴിഞ്ഞിട്ടു ആറുകൊല്ലമായിട്ടും അഹിന്ദുക്കൾക്കും അവ ണ്ണ ഹിന്ദുക്കൾക്കും ആ ഡിപ്പാർട്ടുമെൻറിൽ പ്രവേശനം കിട്ടുന്നില്ല. ഇ തിനു് കമ്മീഷണർ മാത്രം വീഴ്ച്ചക്കാരെന്നാണെന്നു ഞാൻവിചാരിക്കുന്നില്ല. താണ തരത്തിലുള്ള ഉദ്യോഗനിയമനം നടത്തുന്നതു പേഷ്കാരന്മാരാണു്. അവരാണു് അവരുടെ അധികാരത്തെ ദുരുപയോഗപ്പെടുത്തുന്നതു്. അ തുകൊണ്ടു പേഷ്കാരന്മാരിൽനിന്നും നിയമനാധികാരത്തെ എടുത്തു ഗവ ണ്മെൻറു തന്നെ നടത്തുകയൊ അല്ലെങ്കിൽ കമ്മീഷണക്കു കൊടുക്കുക യോ ചെയ്യണം നിയമന വിഷയത്തിൽ ഗവണ്മെൻറിന്റെ ആജ്ഞ യനുസരിച്ചു പ്രവൃത്തിക്കാൻ പേഷ്കാരന്മാർ സന്നദ്ധരായിരിക്കുന്നില്ലെന്നു പ്രത്യക്ഷപ്പെട്ടതീട്ടുണ്ടു്. അതുകൊണ്ടു ആ ഉദ്യോഗസ്ഥന്മാരെ ശിക്ഷി ച്ചൊ അല്ലെങ്കിൽ തരം താഴ്ത്തിയോ നല്ലപാഠം പഠിപ്പിക്കേണ്ടതാണു്. കമ്മീഷണരും ശരിയായിട്ടു ഉദ്യോഗനിയമനം നടത്തിയില്ലെങ്കിൽ പേഷ്കാരന്മാരെപ്പോലെ കമ്മീഷണരേയും ഗവണ്മെൻറു ശാസിക്കേണ്ടതാണു്. പ്രവർത്തിച്ചതുപോലെ തന്നെപ്രവർത്തിക്കണം. (ചിരി) ഈ മാതിരി ഉദ്യോഗമാനവിഷയം ഇവിടെ പ്രസ്താവിക്കേണ്ടിവരുന്നതിൽ ഞ ങ്ങൾക്കു വളരെ സങ്കടമുണ്ടു്. ഉദ്യോഗനിയമന കാര്യത്തെപ്പറ്റി പറ യാതെ കഴിച്ചാൽ കൊള്ളാമെന്നാണു് മറു ജനപ്രതിനിധികളുടേയും എന്റെയും വിചാരം. ഈ സംഗതിയിൽ ജനങ്ങൾക്കുള്ള ദുസ്സഹമായ സങ്കടങ്ങൾ കാണുമ്പോൾ മൌനമായിട്ടു വിട്ടുകളയാൻവയ്യാ. ഉദ്യോഗ സ്ഥന്മാരുടെ വർഗ്ഗീയപ്രതിപത്തികൊണ്ടു പബ്ലിക്കു് സർവീസു് ദുഷിക്കയും കാര്യക്ഷമത നശിക്കയും ചെയ്യുന്നതുകൊണ്ടു് ഓരോ കാര്യത്തിൽ ഗവണ്മെ ൻറു വേണ്ടതു പ്രവർത്തിക്കണമെന്നു പറഞ്ഞുകൊണ്ടു ഞാൻ ഓരോ ഉപക്ഷേ പത്തെ പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Sir, I have noted what the members have said and I have very little to add. The aim and object of us all is to appoint all communities in the department. The appointments made in all Divisions are scrutinised in my office and reported on to Government and are again carefully scrutinised there. It is not easy to satisfy everybody. But we do our best. The Land Revenue Department was separated from the Devaswom Department in 1098 and since then we have done what we can to try and entertain everybody.

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MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): May I know how many proverthikars were appointed after the separation of the Devaswoms from the Land Revenue?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I have not got that information with me now. I think the information is contained in one of my speeches on a previous occasion in this Council. I will first say what has been done in the department. Soon after the separation, we had to find appointments for all supernumeraries; and there were a great many of them. That took some time. After that we had to appoint the disbanded men from the Land Records Department on account of the abolition of the staff there. I know even now some of the disbanded men are still without appointment. In spite of that, some of the Dewan Peishkars have taken in unrepresented communities although men who were acting before in the Land Records Department were still without appointment. Then the payment in kind of tax on Kandukrishi lands was converted into money. Some of the staff had thereby to be disbanded and we had to find places for them. There were not many vacancies occurring in the department and when we have all these disbanded men it is very difficult to satisfy everybody. In my office at present there are two Mahomedan clerks. Another young Mahomedan Graduate was appointed but he left service and he is now practising as a Vakil in the High court. I learn he is doing very well there. Another member from the Mahomedan community was also appointed. He got appointments once or twice. In the case of these acting appointments one has to act for a short time, then to go away and then again to be appointed when another leave vacancy occurs. This man got a permanent appointment in the Post Office and he did not come back. These are the two appointments of Mahomedans I have made in my office alone in addition to the two Mahomedan clerks already there. I have got three Ezhava clerks in my office. I will do my best to try and get some more Ezhavas appointed. At present we have got, I think, representatives of all the communities of Christians, 3 Ezhavas, 2 Mahomedans, Vellalas, Valas, Maravas, in fact representatives of all communities. As far as I can I will try and entertain some more of them. I think the Dewan Peishkars are doing the same. They are also entertaining accountants from all communities. They cannot do more. Even if we appoint more from the un-represented communities, still the people will be always grumbling. We cannot satisfy everybody. In view of what I have said I hope the member will withdraw his motion.

MR. N. R. KRISHNAN (*Nominated*): ഗവർമെണ്ടു ഈ കാര്യത്തിൽ വേണ്ടതു ശ്രദ്ധിക്കാമെന്നു പറയുന്നതുകൊണ്ടു ഞാൻ ഉപക്ഷേപത്തെ പിൻവലിച്ചിരിക്കുന്നു.

PRESIDENT: May I take it that the House permits the motion to be withdrawn?

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The motion was, by leave, withdrawn.

Motions 14 and 15.

The following motions were not moved :

MR. K. P. NILAKANTA PILLAI :

14. To reduce the allotment of Rs. 80,385 for Division Cutcherries by Rs. 100.

MR. P. S. MAHOMED :

15. To reduce the allotment of Rs. 80,385 for Division Cutcherries by Rs. 100.

Motion 16.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*) : Sir, I beg to move the following motion :—

To reduce the allotment of Rs. 80,385 for Division Cutcherries by Rs. 100.

Sir, the object of my motion is to bring to the notice of the House the desirability of abolishing Dewan peishkarships. There is great room for retrenchment in the Land Revenue Department and to me what seemed to bear retrenchment easily was the item 'the Dewan Peishkars.' We need money very badly for purposes of rural re-construction and the provisions in the budget also show that there is a desire and a determination to bring about rural re-generation. The Dewan Peishkars were in times past the advisers of Government. Their functions included all matters that concerned the General Administration of their divisions. Gradually and in course of time and with stress of circumstances, these things came to be altered. The Dewan Peishkars in times of old were practically the developmental officers of their divisions. They were looking after agriculture, industries—there was no co-operation at that time—and other things in the light of the knowledge then in their possession and with the resources at their disposal. But contact with the outside world and the increase in population and our economic dependence on factors outside our country brought the necessity for specialisation in many departments. We had to organise separate departments of agriculture, industries and so on. What we now need is a great deal of extension in the employment of experts. Time is now long gone by when the sole function of the Government was the preservation of law and order. Time is also long gone by when the administrative acumen could afford to expend itself in the composition of Salaries Committees, Accommodation Committees or Revision of Salaries miscalled re-organisation of departments or in wasting lakhs of rupees in constructing canals on sand-dunes. Now, Sir, it is recognised that the great object of Government is the happiness of the people committed to its care and there is an abundance of proof in the provisions in the budget to show that this is the desire of Government.

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Well, Sir, what are the present functions of the Dewan Peishkar and what are those functions that could not be discharged by his assistants satisfactorily. That is the point to be answered. The Dewan Peishkar is now not only not the representative of Government in his Division but practically keeps out of the activities of development departments. These development departments which necessarily claim predominance in the scheme of administration are now submerged, by the ancient prestige and the old world dignity of the Dewan Peishkars. Some arrangement must be found by which the existing state of things should be reversed. If we want to achieve the object of rural reconstruction or to advance the material prosperity of the people we want men with specialised knowledge who will keep their finger at the pulse of the movement of prices, of the ups and downs of the markets and the rise and fall in the economic prosperity and of the conditions of sea port. We want men with special knowledge who will know how to develop the natural resources of the country, our agriculture, our industries, our mines and quarries and also, as I said before, the conditions of sea port. We also want men with special knowlege to revise our fiscal, our commercial and our financial laws. There is a great need, as I said before for extension in the employment of experts, if we want to live as a nation and to grow as a nation. It is useless to spend money on routine businesses. We want men with special knowledge in all the departments of the State. The problem of Travancore should now be looked at from an angle of vision different from that of administrators of half a dozen years ago. We *must* have a different angle of vision to proceed with. If our object should succeed, the development departments must certainly be given predominance. That predominance could not be achieved as long as the Dewan Peishkars are there in their present position. On account of the existence of the Dewan Peishkars, the activity of the development departments do not reach the masses. The village official is kept outside their activities. In many cases the activities of the development departments are being thwarted by the hostility of the village officials and unfortunately the Proverthikars have been reduced to a position of non-entities. The Dewan Peishkar exercises his powers against the interest of the other departments. Such a state of things should not exist.

There is another aspect of the case which I cannot but place before the House. That is to say, do we get any adequate return for the money spent on the Division Cutcherries? The Dewan Peishkar had no knowledge of anything concerning the interest of the people. They do not know how the Nayar, Ezhava and Vellala Regulations are operating on the people for whose benefit these legislations were enacted. After having enacted a Regulation is it not the duty of the Dewan Peishkar to see how far that Regulation is working if he is Government's representative of the District.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): If the Dewan Peishkars are dispensed with, how is the Revenue Recovery Regulation going to work?

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MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I am not going to answer that question. I said in the very beginning that the duties of the Dewan Peishkar are now being performed by his own assistants as well.

I said that we are not getting any adequate return for the money spent. At a cost of nearly one crore of rupees we have constructed the Pechippara Dam. One of the objects of the construction of the dam was that garden lands should be converted into paddy lands. I admit that a few acres of garden lands were converted into paddy lands. While that is going on in one corner of the division, hundreds of acres of most fertile paddy lands are being converted into garden lands chiefly and solely as a result of the neglect of the duties on the part of the Dewan Peishkars. You yourself were pleased to visit one of such places. In the case of the Anathazha chira you yourself paid four visits. The Division Peishkar of Trivandrum expended all his beneficence by a single visit and I believe to Mr. Robinson it is an unexplored region as yet. My point was that when money was spent in constructing a big dam, the object of that is more than frustrated by the neglect of duties of the Dewan Peishkar, permitting conversion of paddy lands into garden lands. Is the money well spent? Consider for a moment the question whether the Dewan Peishkar really deserves his pay when most fertile lands are allowed to be converted into garden lands by his neglect of the interest of the country. When I asked whether the Government were aware that paddy lands were converted into garden lands the answer given was that they were not aware. Then I asked a question whether the Dewan Peishkars noticed tree-growths at sides and ridges of paddy lands destroying the fertility of the soil by preventing the fall of sunlight. The Government said that they had no such information. I asked again whether the Dewan Peishkar paid any attention to the numerous irrigation tanks. The answer was that it was not their duty. In all such matters Government were saying that the Dewan Peishkars did very little to advance the interest of the masses.

I am coming to another aspect of the question. As regards the Anathazha chira Sir, you witnessed to what purpose it was being put. That chira which was capable of irrigating a vast stretch of 700 acres of paddy land, you saw, was left in ruins. You also saw that crops were withering in the area at the time of your visit. It was pointed out at the time that three acres out of this chira were under process of registry and a fraction of an acre has just then been assigned away. Who is responsible for depriving the people of these localities of the sources of their food supply and for destroying the natural fertility of the soil? An illiterate man, who in a drunken brawl happens to send his knife into the bosom of his comrade is seized and sent to the gallows. What is done to those officials who in full possession of sobriety and intelligence and in receipt of high salaries doing things calculated to destroy the food producing capacity of the country, and depriving the sons of the soil of the means of their subsistence? These are questions that should

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receive satisfactory answer from the Land Revenue Commissioner. Those who receive pay from the treasury should bring something in return. They are bringing incalculable harm now.

MR. A. THANU PILLAI (*Trivandrum*) : Will the member be satisfied if the Dewan Peishkars do their duty satisfactorily?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): No. What I am going to say is that these men should not find a place in the Government service. These Dewan Peishkars with their high salary, and ancient dignity cannot fit in, in the new scheme of things. They must in the interest of the people make their exit. They have not done anything to deserve their pay and as such I think this Council must whole-heartedly support my motion.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Sir, While Mr. Madhavan Pillai gave us many points as to why the Dewan Peishkars should be dispensed with, he began by saying that for rural reconstruction we want money. I do admit that we want money for many other things too. He said that proper attention was not given to the conversion of garden lands. While he thought he dwelt on the various aspects of the question, I am sorry he did not dwell on certain other aspects which I am afraid if he had thought of at least even after I put him a question as to how the Revenue Recovery Regulation is to be enforced I am sure he deserves the full support of the House. In the absence of that, he is not right in demanding the whole support of this House. He forgets that these Dewan Peishkars have to do certain duties as per statutory Regulations. If, as suggested by Mr. Madhavan Pillai, Dewan Peishkars are abolished I ask who will do the duties of the Peishkars? I am afraid some Regulations have to be changed. Without amending the Revenue Recovery Regulation how are we to discuss the question.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Does the member think that the Dewan Peishkars would cease to exist tomorrow?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Mr. Madhavan Pillai wants that the Dewan Peishkars should cease to exist if I understand him correctly.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : I only suggest the desirability of abolishing the Dewan Peishkars.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): That is what I say. Without amending the Regulations how can we get on with the work that is now contemplated by statutes to be performed by him?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Is there any necessity for amending the Regulation before asking for the abolition of Dewan Peishkars?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Sir, there is absolute necessity. If the Regulation is not amended how are we going to act up to the Regulation. Therefore I think we

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[Mr. S. Piravipermual Pillai.]

want to recover land revenue; we want officers for land acquisition. We have to clear the ground first before we make alterations. That is my point.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Should there not be some reason for amending the Regulation?

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): No such proposition was brought forward by the mover of the motion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Suggestions for the amendment of a Regulation are not in order during budget debate.

MR. S. PIRAVIPERUMAL PILLAI (*Commerce and Industry, South*): Sir, that is another point that has to be considered. I am extremely sorry I have to oppose the motion, on the ground that the mover has not considered the various aspects and has not brought forward clear reasons for the abolition of Dewan Peishkars.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikaplli*): It has been brought to the notice of the Government that expenditure on salaries and establishment of the Land Revenue Department is too high and every endeavour must be made to reduce that expenditure. Whenever we ask the Government to reduce the expenditure on a particular department they ask us to find out ways and means for effecting that. On our looking into the budget we find that the post of Dewan Peishkars is not after all absolutely necessary for the efficient discharge of the Land Revenue Department. My reason is that when this Land Revenue Department came into existence there was only one Division Peishkar and one Division Assistant to help him in the administration of criminal justice, land revenue matters, Devaswom affairs and matters relating to sanitation and public health. In those times other departmental works were generally within the jurisdiction of the Dewan Peishkars. Now the Devaswoms have been separated. Almost all the duties once done by the Peishkars were delegated to other departmental heads. There are two or three Division Assistants in each Division to help him in the administration of criminal cases and Revenue cases. In the case of forest settlement cases there is a Forest Settlement officer to decide them. If these duties now discharged by Dewan Peishkars are apportioned to Division Assistants I do not find any reason why these officers should be maintained at present. My submission is that there is no argument in saying that there are much arrears in the Division Cutcherries. If any person places a bundle of papers before me I will not be able to pass orders on all of them all on a sudden. The proper question to be raised is whether it is necessary to place all papers before me. Similarly, with regard to the case of Peishkars. That is to say in the case of pokkuvaravu cases there is first the Tahsildar to decide them. Then there is the Division Assistant and above these people there is the Land Revenue Commissioner to enquire into the justification and propriety of the orders passed

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by the Division Assistant. If the decision of all these officers are quite inequitable, Government will interfere and if that also is unsatisfactory then we will question the Government in the Council. Why should there be Dewan Peishkars simply as an ornament in the department at the sacrifice of so much of tax payers' money. There is absolutely no justification for maintaining this ornament in the department when so many Government servants are almost starving. One of the chief items of work that is assigned to the Dewan Peishkars is the disposal of applications for agricultural loans. The Dewan Peishkar is not responsible to this House or the Land Revenue Commissioner, for the agricultural development of this country. The proper man to dispose of the applications for loans is the Director of Agriculture. If the Director of Agriculture does not improve agriculture properly we will question him as to the unsatisfactory work. I think he must be given sufficient facilities for improving agriculture of the land. There is no meaning in asking the Commissioner to decide whether a loan should be granted or not. As the Land Revenue Commissioner he has only to see whether land revenue incomes are properly collected and ascertain all particulars about the lands. I do not think the Commissioner or the Dewan Peishkar should be burdened with the responsibility of granting loans.

My friend Mr. K. G. Paramesvaran Pillai in his motion No. 9 stated that the Dewan Peishkar is not able to speedily report on the acquiring of lands for the purpose of Public Works Department. Whenever we request the Government to grant us an irrigation work or road or any such thing, the Dewan Peishkar is asked to acquire lands necessary for this purpose. The Dewan Peishkar will say that he has so many other duties such as the jamabandy, disposal of criminal and pokkuvaravu cases and hence he cannot attend to this immediately. And any number of reminders will not, after all, be of any use in getting the necessary thing done by the Dewan Peishkar. Yesterday the Chief Secretary was saying that the number of reminders issued to the Director of Public Instruction for the early report of the Vernacular Committee's report, proved useless. My position is when the Dewan Peishkar is burdened with so many duties he will not be able to discharge efficiently any of those duties and it is proper for the Government to appoint other persons to look after his work. There are sufficient number of Division Assistants and they can do the function of Dewan Peishkars. Mr. Peraviperumal Pillai's suggestion is a proposition which cannot be accepted and to my mind he is putting the cart before the horse. I am completely in agreement with the motion of Mr. K. Madhavan Pillai.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Sir, I beg to oppose the motion. Under the existing scheme, below the Government there is a Land Revenue Commissioner. Subordinate to him there is the Dewan Peishkar, and below him Division Assistants below whom there are Tahsildars. In the lowest rungs we have the proverthikars. My friend now proposes to get rid of one of the bricks that make up the entire structure. If it is intended for the purpose of securing retrenchment this motion loses all its force, because

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[Rao Bahadur K. A. Krishna Aiyangar.]

it is really only a token motion. The Dewan Peishkar has several administrative and statutory duties to perform. If a resolution is allowable under the rules and if a resolution is brought forward setting forth the changes in the administrative machinery which according to my friend will bring about retrenchment in expenditure at the same time providing machinery for the efficient carrying out of administrative and statutory duties vested in the Dewan Peishkar, the House with advantage, could discuss the question and come to a reasonable conclusion on the subject. As it is, it, seems to me that my friend's position is unsatisactory without his satisfying us that it is within the power of the House to devise a machinery for discharging the duties of the Peishkar. It seems to me it will not be fair to call upon the House to give its assent to such a motion.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): What are the duties that are now being performed by the Peishkar that are not and could not be done by other officers?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): The question may be discussed at length if a proper resolution is brought forward for the identical purpose.

It is for my friend to tell the House the various statutory duties that have to be performed by the Dewan Peishkar in his administrative capacity and then bring forward a scheme under which he would delegate any of those duties, to some other officers. Then I shall be in a position to offer my remarks.

MR K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): May I know whether he has got any definite statutory power which he alone can discharge and which nobody else can do?

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): Is it then common ground that the Dewan Peishkar has got certain administrative and statutory duties? I have said that they have got certain statutory duties.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): What are those duties which are now being performed by the Dewan Peishkar and which are not and which could not be done by his Division Assistant.

RAO BAHADUR K. A. KRISHNA AIYANGAR (*Nominated, Deputy President*): I am willing to answer it. I only say that the scheme suggested would not fit in one particular part with the entire scheme brought into existence for the administration of justice. In the form in which that token motion is brought before the House, it may not be possible to exhaust the various duties vested in the Dewan Peishkar. This is not the occasion for discussing such a large and far-reaching administrative change as is proposed by my friend. I should not be uderstood as suggesting that it is beyond the statesmanship of this Council to devise a scheme under which the Dewan Peishkars could

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be dispensed with. This is not the form in which the motion should be made nor is this the occasion in which this could be discussed with advantage.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): This is a question that has come up to the Council once before and it was said then that in the first place the Dewan Peishkars correspond to Collectors in British India and Deputy Commissioners in Mysore. In the next place, it is not possible to dispense with them. They are the guardians of the people and they represent the Government.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Will the member kindly tell me if he has read the report of the conference of the Collectors in the Madras Presidency and the number of subjects they discussed which presumably came within the purview of the Collectors ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): No, Sir. I have not read that. Mr. Madhavan Pillai suggested that Division Assistants might take the Dewan Peishkar's place. In that case each Division must be in charge of a Division Assistant. If that is done it will be only a change of name. If we do away with a Division altogether then we will have a number of sub-divisions and they will have to be put in charge of an officer who will be called a District Officer. The Dewan Peishkar's duties are not merely confined to the collection of Land Revenue. He is also a District Magistrate and he is a representative of Government in that District. Even if you abolish the post of Peishkars you will have to appoint officers on smaller pay. The Dewan Peishkars, of course, had many duties entrusted to them in olden days ; but in course of time, some of them were taken away. Yet in the present circumstances I do not think it possible to do away with the post of the Dewan Peishkars and to place Division Assistants in charge of the Division. Even if you do it they will be Dewan Peishkars in another name on a less pay. Can they command respect and be responsible officers like the Dewan Peishkars ? There may be some defect in the work of some of these officers. But that is no reason to abolish the post altogether. I have nothing more to say.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Can the member tell me whether the present Dewan Peishkar is in charge of the general interests of the Division. That is to say, in the interest of the people living in the locality just as a Collector who is placed in charge of the general interest of the District in British India.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Yes.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Has he got anything to do with the minor irrigation works ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : To some extent.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*) : If the works are not carried out properly, is it not the duty of the Dewan Peishkar to enquire into that ?

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MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): There is the Tahsildar.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Did he not disclaim any responsibility for minor irrigation work during the last Session? Did not the Dewan say that there is a dual machinery working and the department was suffering from an over elaborateness of rules.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): It is not possible for the Peishkar to look into all the things although he corresponds to a Collector in British India?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Have you got any report from your Division Peishkar as to how far social legislation enacted in this Council is operating upon those communities for whose benefit it is intended.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): If the member gives time, I will ascertain if I have had a report.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Have they got any idea of the economic condition of the people?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I have a general idea. You can examine me if you want. (*Laughter*).

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I do not want to examine you. Have you got any idea through the reports of the Dewan Peishkars?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I have got some idea.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): What is your idea?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): On what point please?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Say about people's indebtedness for example.

Have you received any report from the Peishkar or Tahsildar regarding the condition of the minor irrigation works that were restored during the last two or three years?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I do not remember general cases. Special cases I know.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): In regard to special works taken up, have they sent any report? Have you taken any action regarding the assignment of Anathazha chira.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*). No such petition has come up to me.

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MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Have you seen the Chira yourself?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): No.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Have you seen a number of tanks in this Division which are useful for irrigation purposes?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Yes.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Have you ever seen this particular Chira?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I know the Dewan was there.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Why did you not go?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): If it is a question of assignment I would go.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): It is your department that is dealing with the question of assignment.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): If there be any objection against the assignment it will be necessary for me to inspect the locality.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): The Dewan Peishkar is an obstruction to the people's grievances reaching you. So it is better that post be done away with.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I think if the Dewan Peishkar was asked to visit that place he must have gone there.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Why should anybody ask him to go to a particular place?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Why should he go when not *asked*? (*Laughter*).

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): If he wants to draw his pay he must go. (*Laughter*).

Is his T. A. bill checked?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Yes, very carefully by me first, then by Government and finally by the Account Officer.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Is there not a rule that a Dewan Peishkar should spend two days in every village which he visits.

MR. S C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I do not think there is any such rule. He has to visit each part of the District.

The Council adjourned for lunch at 2-3 P. M. and reassembled at 2-45 P. M.

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MR. V. S. KRISHNA PILLAI (*Tiruvalla*): സർ, തിരുവിതാംകൂർ സംസ്ഥാനത്തിലെ പ്രധാന ഉദ്യോഗം ദിവാൻജി ഉദ്യോഗമാണു്. ആ പ്രധാന ഉദ്യോഗസ്ഥന്റെ കീഴിലായി നാലു ദിവാൻപേഷ്കാരന്മാരാണുള്ളതു്. അതിന്റെ പേർകൊണ്ടുതന്നെ അതിന്റെ പ്രാധാന്യവും ജോലിയുടെ സ്വഭാവവും അന്തസ്സും എത്രയുണ്ടെന്നു വെളിപ്പെടുന്നുണ്ടു്. വിശേഷിച്ചു ഇപ്പോഴത്തെ വമ്പിച്ച ദേവസ്വം ഡിപ്പാർട്ടുമെന്റിൽ നടക്കുന്ന സകല ജോലികളും ഈ ദിവാൻപേഷ്കാരന്മാർതന്നെ നടത്തേണ്ടിയിരുന്നു. പുകയില പണ്ടകശാല, ഉപ്പുപണ്ടകശാല മുതലായ കാര്യങ്ങളും എക്സൈസ് ഡിപ്പാർട്ടുമെന്റിലേക്കു വീതിച്ചുകൊടുക്കുന്നതിനുമുമ്പു് ആ ജോലി നിർവ്വഹിച്ചുവന്നതും ദിവാൻപേഷ്കാർ തന്നെയായിരുന്നു. ഇന്നു ഡിവിഷൻ അസിസ്റ്റന്റിനു കൊടുത്തിട്ടുള്ള മിക്കജോലികളും ദിവാൻപേഷ്കാർതന്നെയായിരുന്നു നിർവ്വഹിച്ചിരുന്നതു്. ഇപ്പോൾ പ്രധാന ഉദ്യോഗസ്ഥനായ ദിവാൻജിയുടെ താഴെയും ദിവാൻപേഷ്കാരുടെ മുകളിലുമായിട്ടു റവന്യൂകമ്മീഷണർ വന്നിട്ടുണ്ടു്. ആ റവന്യൂകമ്മീഷണർക്കു ഇപ്പോൾ, ദിവാൻപേഷ്കാർക്കു കൊടുത്തിരുന്നതും ദിവാൻജിയുടെ കീഴിൽ നടത്തികൊണ്ടിരുന്നതുമായ റവന്യൂസംബന്ധിച്ചുള്ള സകലജോലിയും അധികാരവും കൊടുത്തുകഴിഞ്ഞിരിക്കുന്നു. മജിസ്ട്രീരിയലായിട്ടു ഡിവിഷൻ അസിസ്റ്റന്റിനു അധികാരമുണ്ടു്. ദിവാൻജിയുടെ താഴെ ദിവാൻപേഷ്കാരന്മാരായിരുന്ന പ്രധാന ഉദ്യോഗസ്ഥന്മാർ അനേകം ആളുകൾഉണ്ടു്. മെസേഴ്സ് ശങ്കരസുബ്ബയ്യർ, രാമറാവു, സർ. ടി. മാധവറാവു് തുടങ്ങിയുള്ള യോഗ്യന്മാരായ ദിവാൻപേഷ്കാരന്മാർ ആ സ്ഥാനത്തുനിന്നുമാണു് ദിവാൻജിമാരായിതീർന്നിട്ടുള്ളതു്. അങ്ങിനെയുള്ള ദിവാൻപേഷ്കാരന്മാരുടെ സ്ഥാനം കേവലം അധികാരമില്ലാത്ത നിലയിൽ വച്ചിരിക്കുന്നു എന്നാണു് എന്റെ അഭിപ്രായം. ഈ അധികാരമെല്ലാം അവരിൽ നിന്നും എടുത്തിട്ടു് യാതൊരു അർത്ഥവുമില്ലാതെ അലങ്കാരത്തിനുമാത്രം ഇങ്ങിനെ ഒരു ഉദ്യോഗം വെച്ചിരിക്കുന്നു. ദിവാൻപേഷ്കാർ എന്നുള്ള പദം വളരെ ബഹുമാനമുള്ളതാണു്. അതിനു അധികാരമൊന്നുമില്ലാതെ വച്ചിരിക്കുന്നതു് പരമാർത്ഥത്തിൽ സങ്കടവുമാണു്. അതു് അവശ്യമുള്ളതാണെന്നു് ആരും തന്നെ സമ്മതിക്കുകയില്ല. ഈ നാലുദിവാൻപേഷ്കാരുടേയും ജോലിയെ ദയവുചെയ്തു പരിശോധിക്കുന്നതായാൽ അതിന്റെ പരമാർത്ഥം വെളിവാകുന്നതാണു്. ഡിവിഷൻ അസിസ്റ്റന്റിനും മറ്റുള്ളവർക്കും കൂടുതൽ ജോലിയെ കൊടുത്തിട്ടു ഇതു

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വമ്പിച്ച ശമ്പളത്തിൽ ഈ ദിവാൻപേഷ്കാരന്മാരെ വച്ചിരിക്കുന്നതുകൊണ്ട് കൂടുതൽ പ്രയോജനമൊന്നുമില്ല. വല്ലതുമൊന്നു പറയാൻ വേണ്ടി മാത്രം വേണമെന്നു വിചാരിച്ച് കൊടുത്തിരിക്കുന്ന ജോലികൾ മാത്രമെ ഉള്ളൂ. ഈ ദിവാൻപേഷ്കാരന്മാരുടെ ജീവിതം കൊണ്ട് പരമാർത്ഥത്തിൽ യാതൊരു പ്രയോജനവും ഇല്ലാതെ തീർന്നിരിക്കുന്നു. അതിനെ കഴിയുന്നത്ര വേഗത്തിൽ നിർത്തി നമ്മുടെ സാമാന്യതത്വത്തേയും ധനനിയന്ത്രണത്തേയും റിട്രെഞ്ച്മെൻറ് പോളിസിയും അനുസരിച്ച് ഈ ആവശ്യമില്ലാത്ത ഉദ്യോഗത്തിനു ചിലവാക്കുന്ന വലിയ സംഖ്യയെ നിർത്തി, മുമ്പ് ഈ കൌൺസിലിൽ പ്രസ്താവിച്ചതുപോലെ അല്പപട്ടിണിക്കാരായ സാധുക്കളുടെ അത്യാവശ്യങ്ങൾക്ക് വേണ്ടി പേഷ്കാരന്മാർക്കുവേണ്ടിചിലവാക്കുന്ന ഈ പണത്തെ വ്യയം ചെയ്യേണ്ടതാണ്. അതിനാൽ ഈ പേഷ്കാരന്മാരെ നിർത്തണമെന്നുള്ള അഭിപ്രായത്തോട് ഞാൻ പൂർണ്ണമായി യോജിക്കുന്നു.

MR. TARIATU KUNJITOMMAN (*Muvattupuzha* cum *Todupuzha*): സർ ഞാൻ ഈ ഉപക്ഷേപത്തെ പിൻതാങ്ങുന്നു. ആവശ്യത്തിലധികം ഉള്ള ഉദ്യോഗങ്ങളുടെ കൂട്ടത്തിൽ ഒന്നാണ് പേഷ്കാരുദ്യോഗം. ഈ ഉദ്യോഗം നിറുത്തൽ ചെയ്യുന്നപക്ഷം റവന്യൂവകുപ്പിനെ സംബന്ധിച്ചുള്ള പരാതികൾക്കുകുറവും റവന്യൂകാര്യങ്ങൾക്കു ഉടനുടൻ തീർപ്പും തന്നിമിത്തം ജനങ്ങൾക്കു സൌകര്യവും ഗവണ്മെൻറിനുലാഭവും ഉണ്ടാകും. റവന്യൂവകുപ്പിനെ സംബന്ധിച്ചുള്ള പരാതികൾക്കു ഒരു തീർപ്പും ഇല്ലാതെ കടലാസുകൾ ആഫീസുകൾ തോറും അങ്ങോട്ടും മിങ്ങോട്ടും ഓടിച്ചു കൊണ്ടു കാലതാമസം വരുത്തുന്നതിൽ നിന്നും ജനങ്ങൾ വളരെബുദ്ധിമുട്ടനുഭവിക്കുന്നുണ്ട്. എല്ലാ ആഫീസുകളിലും പലതരത്തിലുള്ള കുഴപ്പങ്ങളും ചെയ്യുന്നതിനുസന്നദ്ധന്മാരാണ് ഈ ഉദ്യോഗസ്ഥന്മാർ. അവരെ ശരിയായിട്ടു നിയന്ത്രിച്ചുകൊണ്ടു പോകുന്നില്ല.

രാജ്യത്ത് കക്ഷിമത്സരങ്ങൾ ധാരാളം ഉണ്ടാകുന്നതു ഉദ്യോഗനിയമന വിഷയത്തിലാണ്. പാവ്വത്യകാരന്മാരെ നിയമിക്കുന്നതും, മറ്റു പല വലിയഉദ്യോഗങ്ങൾക്കു റെക്കമെൻറു ചെയ്യേണ്ടതും പേഷ്കാരന്മാരാണ്. അവർ കാട്ടിക്കൂട്ടുന്ന അനീതിയെ ശരിയായിനിയന്ത്രിക്കാനുള്ള അധികാരം കമ്മീഷണർക്കില്ല. കൃഷിക്കാർക്കു ഇവരിൽ നിന്നും വല്ല ഗുണവുമുണ്ടോ? ഇല്ല. ഉപദ്രവമേയൊള്ളൂ. ഉൾനാട്ടിലെസ്ഥിതിയാണ് ദയനീയം. കടുവാ, ആന തുടങ്ങിയുള്ള കാട്ടുജന്തുക്കളിൽനിന്നും വിളവി

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[Mr. Tariatu Kunjitomman.]

നേയും കന്നുകാലികളേയുംതങ്ങളുടെ ജീവനേയും രക്ഷിക്കുന്നതിനു വെടി ആയുധങ്ങൾ ഉപയോഗിക്കണമെങ്കിൽ അതിനു ലൈസൻസ് വാങ്ങണം. ലൈസൻസിനു പേഷ്കാരോടപേക്ഷിച്ചാൽ സമയത്തു് കിട്ടുകയില്ല. എന്നുമാത്രമല്ല ഓരോ ആഫീസിലുംചെന്നു അവിടത്തെ ക്ലാർക്കുകളെ കണ്ടു—(അതിൽ പറയാൻ വയ്യാത്ത പലരഹസ്യങ്ങളും ഉണ്ടു്.) അവരുടെ സമയം നോക്കി കാര്യങ്ങൾ അറിയേണ്ടിയും പല ബുദ്ധിമുട്ടുകളും സഹിക്കേണ്ടിയുംവരുന്നു.

പുലുവൽ, പുറമ്പോക്കു് മുതലായ കേസുകളിൽ ഉപദ്രവമില്ലാതെ ശരിയായ കാര്യനടപ്പോ ജനങ്ങൾക്കുക്ഷേമമോ ഈ വമ്പിച്ച ഉദ്യോഗസ്ഥന്മാരിൽ നിന്നും കിട്ടുന്നില്ല. ആ ജോലികൾ ഡിവിഷൻ അസിസ്റ്റൻറിന്റെ ചാർജ്ജിൽ നടത്തുന്നതിനു ഏർപ്പാടു ചെയ്യുന്നപക്ഷം ജനങ്ങൾക്കുക്ഷേമം ഉണ്ടാകുന്നതിനു എളുപ്പമുണ്ടു്. അതിനാൽ ഡിവിഷൻഅസിസ്റ്റൻറുമാരെ അസിസ്റ്റൻറു കമ്മീഷണന്മാരാക്കിയാൽ മതിയെന്നും പേഷ്കാരന്മാർ ആവശ്യമില്ലെന്നും ഉള്ള ഉപക്ഷേപത്തെ ബലമായി പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I have nothing more to say in reply to what Mr. Robinson said. I have made my position fully clear, and I hope my arguments have appeared to be reasonable to the Council.

PRESIDENT: Are you pressing your motion to the vote, Mr. Madhavan Pillai?

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Yes Sir.

The motion was put to the vote and carried, 24 voting *for*, 19 *against*, and 3 *neutral*.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I demand a poll, Sir.

A poll was then taken, and the House divided itself as follows:

AYES.—25.

1. Mr. A. S. Damodaran Asan.
2. ,, A. G. Menon.
3. ,, Ittoop Itteechan.
4. ,, R. Kesava Pillai.
5. ,, T. C. Kesava Pillai.
6. ,, Tamarapallil Kochutomman.
7. ,, N. R. Krishnan.
8. Mr. N. K. Krishna Pillai.
9. ,, V. S. Krishna Pillai.
10. ,, Tariatu Kunjitomman.
11. ,, A. C. Kuriakose.
12. ,, K Madhavan Pillai.
13. ,, H. B. Mahomed Rowther.
14. ,, P. S. Mahomed.

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15. Mr. Matthew Murikkan.
16. ,, G. P. Nilakanta Pillai.
17. ,, K. P. Nilakanta Pillai.
18. ,, V. J. Oommen.
19. ,, Muruvelil Pachu Pillai.
20. ,, K. Padmanabha Panikkar.
21. Mr. K. G. Paramesvaran Pillai.
22. ,, L. R. Raja Raja Varma Koil Tampuran.
23. ,, R. Raman Pillai.
24. ,, Revatinal Rama Varma Raja.
25. ,, A. Thanu Pillai.

NOES—19.

1. Mr. I. C. Chacko.
2. ,, J. J. Daniel.
3. ,, R. Dhanukoti Pillai.
4. ,, D. Francis.
5. ,, P. Gomatinayakam Pillai.
6. ,, D. C. Joseph
7. Rao Bahadur K. A. Krishna Aiyangar.
8. Mr. P. N. Krishna Pillai.
9. Dr. N. Kunjan Pillai
10. Mr. K. Madhavan.
11. ,, T. K. Madhavan Nayar.
12. ,, Kayalam Paramesvaran Pillai.
13. ,, S. Piraviperumal Pillai.
14. Dr. K. Raman Tampi.
15. Mr. K. N. Ramasubba Aiyar.
16. ,, T. P. Ramasubba Aiyar.
17. ,, S. C. H. Robinson.
18. ,, R. Vaidyalingam Pillai.
19. ,, A. Vipan.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): Sir, Mr. Madhavan was not against the motion. At first he was neutral.

PRESIDENT: That was a preliminary count. Between the poll and the count the member has changed his mind. It happened several times last year, when members changed their minds – between the preliminary count and before their names attain immortality at the poll they may change their minds.

MR. K. MADHAVAN PILLAI (*Trivandrum cum Neduvangad*): I stood up last time but that was not allowed.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The member was not then present at the time when the House divided.

NEUTRALS 2.

1. Mr. V Chellam Pillai.
2. Mrs. Elizabeth Kuruvila.

PRESIDENT: The motion is carried by six.

Motion 17.

The following motion was not moved:

MR. MURUVELIL PACHU PILLAI:

17. To reduce the allotment of Rs. 80,385 for Division Cutcherries by Rs. 100.

Motion 18.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I beg to move the following motion:

To reduce the allotment of Rs. 73,792 for Clerical Staff by Rs 1,540.

Sir, the object of the motion, as it is explained, is to omit the provision made in the budget for the additional clerks 7 in number. Sir, it is not the object of the members, on this side of the House to

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[Mr. K. P. Nilakanta Pillai.]

jeopardize the Government by refusing the number of hands and the necessary funds to carry on the administration of various departments. But as regards this item, as it comes under the Land Revenue, members on this side of the House have a duty to see that the expenditure incurred in the collection of Land Reveuue does not go up year after year. To give some facts, for collecting Rs. 41·4 lakhs there is something like Rs. 11·7 lakhs under expenditure according to the budget estimate for the next year. Out of this, the actual salaries come to Rs. 9·4 lakhs. Calculating from these figures, for collecting Rs. 3·5 we have to spend about one Rupee. Comparing this with the figures appearing elsewhere we find that in British India based on the corresponding calculation it comes to about 23 per cent. Here the expenditure is 32 per cent. In the Mysore State it comes to only 25 per cent.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): 22.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The latest figures.

Even the other day when the Financial Secretary was replying to the general remarks made from this side of the House on the budget, it was to a certain extent conceded that the collection charges are somewhat bigger when compared to those in British India, or more correctly, the Madras Presidency,

MR. K. N. RAMASUBBA AIYAR (*Financial Secretary to Government*). I do not think it is correct.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): My friend may explain it afterwards. That was what I understood. My friend made the statement when somebody from the back benches enabled him to pick up some other figure. Anyhow I have placed the figures before the House, and that is enough for my purpose. We do not want by these motions to cut down the existing staff in the Land Revenue Department for the current year. Nor do we intend to reduce the allotment by a pie, but we only say 'do not spend further when the expenditure is already disproportionate to the collection charges'. We want only to push down the additional staff for these seven treasuries. Viewed in this light it may be accepted by the House that the proposal is only moderate and not at all extravagant. Therefore it is not at all necessary to give further arguments to convince the House. To say that these additional clerks, 7 in number, are necessary is just like arguing in a circle. First of all there seem to be some arrears for which a temporary staff is provided. Then, because a temporary staff is provided, the arrears are never cleared; therefore, year after year we have to provide a temporary staff for every department. And if we go on adding like this we do not know where we are going to end. Moreover the Peishkars and the Tahsildars must realise their responsibility a little more. In the matter of these treasuries if the existing staff have better supervision and if the treasuries are properly checked the work can be carried on with the existing staff. There is also some danger in allowing this provision to be carried. The staff may go very more irresponsible. When an initial appointment is made much is talked of efficiency and arguments are given on that score

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to support the provision. As soon as the appointment is made efficiency is forgotten. And then it becomes the duty of nobody to see if the work is efficiently done or not. That is the state of affairs existing in every department. There is no proper control over the work of the subordinates in every department.

In order to impress upon the Dewan Peishkars and Tahsildars that the work of these and other similar subordinate staff should be properly supervised and the best work exacted from them and arrears should not be accumulated, I am moving this motion.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Sir, I rise to support the motion moved by my friend. Since it is admitted by all that our charge on establishment and salaries is a bit too high as regards the Land Revenue Department, before asking us any more sum for increasing the staff of the department, we are entitled to know whether there is any necessity for additional staff. I have been trying to find out the necessity for this additional staff from the report of the Land Revenue Department for 1102. All that I find is that the Dewan Peishkar, Kottayam, and the Commissioner, Devicolam, said that all the treasuries in their divisions were working satisfactorily throughout the year. The Land Revenue Commissioner wants additional clerks for Parur also. If more clerks were necessary, mention would have been made in the report which has been given to us. Similarly no mention is made in the report about the difficulty of getting through the work in the Land Revenue Department. So, unless we are quite convinced that it is absolutely necessary for the efficient working of the department we will not be doing our duty to the people by sanctioning such additional allotments.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): Sir, I asked for one additional clerk for each of the following treasuries: Agastisvaram, Kalkulam, Trivandrum, Tiruvalla, Ambalapuzha, Mavelikara and Parur. Now, I may point out that the work in question is being done by the Taluk Head Accountant, one clerk and one treasurer. So there is only one clerk in the whole office to attend to the treasury correspondence. This is very inadequate when compared with the large volume of work they have to turn out. I know, as a matter of fact, that the treasury work is done by these people often till 7 o'clock in the night and they have to close their treasuries before sunset under the rules. It was in 1098 that the Chengannur taluk was amalgamated with the Tiruvalla taluk and when the three Major treasuries of Alleppey, Tiruvalla and Agastisvaram were existing in the old days they had a much larger establishment. Very nearly half the work of Alengad was added to the Parur taluk and all the work of each one of those treasuries has now to be done by one clerk.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Has there been no increase in the number of clerks after amalgamation?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I could give the figures of the enormous amount of work that these seven treasuries have to do. In Agastisvaram they

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[Mr. S. C. H. Robinson.]

have one lakh seventy four thousand stamps to be sold. In Trivandrum they have three lakhs of stamps to be sold. And this is all done by one clerk, one accountant and one treasurer. When the Taluk Tahsildar is out in camp the Head Accountant has to do the work in the place of the Tahsildar and the whole of the treasury work falls on the single clerk. Then they have work relating to savings bank, personal and judicial deposits, and all kinds of other accounts have to be done by these clerks.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): How was this work attended to during the last four years?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I think they had to work till late in the night. I think that if out of a sense of justice if you go and see these offices you will grant this sum.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Was there no representation about this before this time?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): The Dewan Peishkars have been urging this for some time. It is only after continued urging and begging that this thing is put up. As I said, the Head Accountant has to attend to the duties of the Tahsildar when he is out in camp. The work of the treasury clerk is to post the registers, both on the expenditure and the receipt side and the *nalvazhi* and to assist the Head Accountant. When he goes every morning he has got to write up the extracts of accounts to be sent to the Divisional treasury. The work of the clerk in the Treasury is such that he has to get through it on the same day. He cannot leave it to the next day. It is an absolute impossibility to do the same work and finish it in one day. Probably in a few years I will have to come in for a greater grant. I am now only asking for the bare minimum. If the members will only see the treasuries they will vote for these poor clerks. I therefore request the House to vote for this.

MR. K. N. RAMASUBBA AIYAR (*Financial Secretary to Government*): Sir, I hope the House will consider the matter without reference to the proportion of land revenue expenditure against the total land revenue collection. I realise, Sir, when you take the gross figures you find that to collect three and a half rupees of revenue you have to spend one rupee. This is a particular example of a misconception in regard to the figures. The treasury is not provided solely for the Land Revenue Department.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Is it a misconception on the part of the members of this House when they find that the total expenditure on the Land Revenue Department is so much and the total collections under the same head is so much and they arrive at a proportion by calculating these figures? Is it a misconception, Sir?

MR. K. N. RAMASUBBA AIYAR (*Financial Secretary to Government*): I am not suggesting that there is anything wrong on the part of the

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members. I am only saying that it is not correct to draw the conclusion which the mover wants to draw; the treasury staff is doing common work for the whole of the State. If you have a number of savings bank deposits and a large number of men having to do business with the treasury you cannot help increasing the staff to cope with the work. The Land Revenue Commissioner has mildly suggested that if any member doubts it he can go and see how much the clerks do in the treasury. It is a fact that the day's work in a treasury must be completed before commencement of business the next day. If the treasurer's balance sheet and the accountant's balance sheet do not tally then, there will be very great confusion.

MR. A. S DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Why should the Land Revenue Department alone be charged for this?

MR. K. N. RAMASUBBA AIYAR (*Financial Secretary to Government*): I am coming to that. I am now dealing with the necessity for one more clerk.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): If the member concedes that, then of course this is the proper time for referring to that.

MR. K. N. RAMASUBBA AIYAR (*Financial Secretary to Government*): I say that it is not proper that you should take this as a charge of collecting land revenue. I hope the members will see the justice of this demand. I went carefully through this particular proposal made by the Land Revenue Commissioner and we have cut down the proposals as far as possible. You can imagine what one clerk can do. The Tahsildar has to remain on tour for more than 20 days. If you cut out the holidays also you will find that the Head Accountant will have to be in charge for the bulk of the month. We are not coming up with proposals for increasing the pay of the treasury staff. In certain taluks which have got heavier work, where there are more courts and so many people come with money to put into the treasury, it is very very difficult unless you strengthen the staff. We have asked only for one more clerk in the last grade, 20-2/3-30. I hope the House will not confuse the question of this strengthening of the staff with the idea that it would amount to the increasing the collection of the Revenues of the whole State.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, with regard to the figures which I as the mover of the motion calculated, my friend says that that arose out of a misconception of the fact that the treasuries are working for all departments. I am thinking I am quite right when I stated that the expenditure on salaries has increased. When the Land Revenue is classified under the Land Revenue Department and the expenditure incurred is also given under the Land Revenue budget and when an additional staff asked for is under the same head, when the calculation is based on those things, I do not know why it is a misconception.

MR. K. N. RAMASUBBA AIYAR (*Financial Secretary to Government*): Quite true, Sir. The onus is on us to show that the staff is not for land revenue collection alone.

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MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Therefore I say, Sir, when the additional staff is provided under the Land Revenue Department and the expenditure is included under the Land Revenue head I think there is absolutely nothing wrong in the procedure which I adopted in this particular case. Secondly the Land Revenue Commissioner says, because some time back Chengannur and Tiruvalla were amalgamated now the treasury work has substantially increased and one clerk is absolutely necessary there. Anyhow, on account of the importance of the fact as explained by the learned Financial Secretary that the treasury work is a very important thing, I beg to withdraw the motion.

The motion was, by leave, withdrawn.

Motions 19 to 22.

The following motions were not moved :—

Mr. A S. Damodaran Asan :—

19. To reduce the allotment of Rs. 73,792 for clerical staff by Rs. 1,540.

MR. TAMARAPALLIL KOCHUTOMMAN :

20. To reduce the allotment of Rs. 73,792 for clerical staff by Rs. 5.

MR. A. THANU PILLAI :

21. To omit the allotment of Rs. 1,776 for the temporary staff to clear off the arrears of *puduval* work in the Neduvangad taluk.

MR. TARIATU KUNJITOMMAN :

22. To reduce the allotment of Rs. 1,83,355 for establishment by Rs. 5.

Motion 23.

MR. A. THANU PILLAI (*Trivandrum*): Sir, I beg to move the following motion :—

To reduce the allotment of Rs. 45,000 for improvement of markets by Re. 1.

Sir, I find a fairly decent amount provided in the budget for the improvement of markets. But my point is that even the amount that is now provided is not enough and that markets should not be considered a source of revenue to Government. The Markets Regulation is not fiscal. All the receipts from markets should be utilised for the improvement of those markets. I find from the figures that it is doubtful whether proper attention is being paid to the condition of these markets. Under receipts for 1102 I find Rs. 73,000 and odd while the amount spent was only Rs. 9,700 and odd. For the current year Rs. 40,000 has been given as the budget estimate under expenditure while the receipts amount to Rs. 80,000. I am not in a position to say what amount has been spent or is likely to be spent this year. For 1104 also under receipts I find Rs. 80,000 and under expenditure it is Rs. 40,000. The condition of the public markets is not at all satisfactory and there is no reason why the Government should make a saving under this head so long as the condition of the markets is not satisfactory. To these markets several people resort and we know that they are exposed to the sun and rain. There is no shed provided and we can understand the difficulty the people will be put to when they go to the markets. Proper provision for the supply of water is not made and the premises are not kept tidy at all.

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I would draw the attention of the House to th' necessity of devoting the entire amount received under this head fo improving the condition of the markets With these words, I beg to move my motion.

MR. ITTOOP ITTEECHAN (*Kunnatnad*) : ഞാൻ മിസ്റ്റർ താണുപിള്ള യുടെ ഉപക്ഷേപത്തെ പിൻതാങ്ങുന്നു. മാക്കറിൽനിന്നും ഗവണ്മെൻറിനു കിട്ടിവരുന്നതുകയം ഭ്രുനികുതിപോലെ ഉള്ളതല്ല. അതുകൊണ്ട് മാക്കറിൽനിന്നും പിരിക്കുന്ന പണം മാക്കറിന്റെ രക്ഷയ്ക്കായി തന്നെ ചിലവുചെയ്യേണ്ടതാണ്. ചില്ലറ കൃഷിക്കാരും മറും മാക്കറിൽ കച്ചവടം നടത്തിവരുന്നു. എന്നാൽ അവക്കു കച്ചവടസാമാനങ്ങൾ വയ്ക്കുന്നതിനും മറും സൌകര്യപ്പെട്ടന്ന കെട്ടിടങ്ങളൊ മാക്കറിനു ചുറും മതിലുകളൊ ഗവണ്മെൻറു കെട്ടിക്കൊടുക്കുന്നില്ല. മഴയും, വെയിലും ഏറെ പലവിധത്തിലുള്ള ബുദ്ധിമുട്ടുകളും മാക്കറിൽ കച്ചവടത്തിനു വരുന്ന സാധുക്കൾ അനുഭവിക്കേണ്ടിവരുന്നതിനുപുറമേ ഒരു മാതിരി സുഖക്കേടുകളും പിടിപെടുന്നുണ്ട്. അതിനാൽ ഗവണ്മെൻറു കഴിയുന്നതും വേഗത്തിൽ മാക്കറിലേക്കു ആവശ്യം കിണറു, ഷെഡ്ഡ്, മതിലുകൾ മുതലായവ കെട്ടികൊടുക്കണമെന്നാണ് എൻറെ അഭിപ്രായം.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : Sir, I support the motion of Mr. Thanu Pillai. As regards the improvement of markets and want of proper water-supply in them, I would place before the Council a few suggestions. In South Travancore water is insufficient not only for Agriculture but also for drinking purposes also. During the general discussion of the budget I have brought to the notice of Government about the insufficiency of water in South Travancore markets, even if one is prepared to spend 200 or 300 Rupees. I will give a specific illustration. In Karingal market though a sum of Rs. 1,000 have been spent for a well, fortunately or unfortunately, there is not even one drop of water. In all these markets water is being sold at the rate of four cash per *poni* and it is very painful to see poor people bringing headloads of articles to the market pay their toll and finding difficulty in getting water. The Government provide one well in one corner of the market and it is impossible for these poor men or women to take with them to the market, a bucket. Even granting that they take a bucket, it is not possible to get water from a well around which there are three or four thousand people. It is also not possible for them to go and remain there and waste their time with their loads on their head for water. For practical purposes the existence of a well is something like a picture show as there is no water to drink in it. If the Tahsildar or anybody were to be questioned about it they would say there is a well. But where is the water to drink ? So I would draw the attention of Government, as far as possible, to see that the Proverthikars or *Masa-*

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[Mr. T. C. Kesava Pillai.]

padikars supply water in big cisterns especially in South Travancore markets where water is being sold.

As regards the sanitation of these markets I see that there are some Overseers and Sweepers who look after it; but I do not think that it is properly attended to especially the fish market stalls and so on. It is so very dirty and they do not even sprinkle what they call anticeptic. So I would draw the attention of Government to the sanitation as well as to the giving of convenience to the poor public and to the supply of drinking water in South Travancore markets. It may be well for the representatives of the people to come and agitate for the stoppage of market dues and so on. The Dewan was kind enough at the last Council to stop the dues in these evening markets. If the Government think that there would be sufficient funds for the upkeep of the various departments I think I would draw the attention of Government to completely stop the so called *vattikasu*, as it is generally called, which will be a sort of relief to the poor.

MR. REVATINAL RAMA VARMA RAJA (*Edavagai*) : സർ, മാക്കറ്റിൽനിന്നും ഉണ്ടാകുന്ന പല ബുദ്ധിമുട്ടുകളെ പറ്റിയും ഇവിടെ പല മെമ്പറന്മാരും പറഞ്ഞു. എനിക്കും അതിനെപ്പറ്റി ചിലതു പ്രസ്താവിക്കുവാനുണ്ടു. ഒരു മാക്കറ്റിൽ സ്ഥലംതന്നെ വളരെ പുരുക്കമാണെന്നു മാത്രമല്ല, അതു് അസൌകര്യമായ സ്ഥാനത്തിലാണു് സ്ഥിതി ചെയ്യുന്നതു. പാരിപ്പള്ളിമാക്കറ്റു് റോഡിനു സമീപത്താണു്. മാക്കറ്റു കൂടുന്ന ദിവസങ്ങളിൽ റോഡിൽക്കൂടി ഗതാഗതം ചെയ്യാൻ വളരെ പ്രയാസമാണു്. കാളകളും, വണ്ടികളും, പലതരത്തിലുള്ള കച്ചവടക്കാരും റോഡിലാണിരിക്കുന്നതു്. അവരുടെ കച്ചവടവും റോഡിൽ തന്നെ. മാക്കറ്റിനു ചുറും മതിലാകട്ടെ, മാക്കറ്റിനകത്തു ഷെഡ്ഡുകട്ടെ ഇല്ലാ. അതുകൊണ്ടു മാക്കറ്റിൽ നിന്നും പിരിക്കുന്ന പണം അതിലെ ആവശ്യത്തിനുതന്നെ ചിലവാക്കുന്നതു കൂടാതെ ഗവണ്മെൻറിൽ നിന്നും പ്രത്യേകമായിട്ടു ഗ്രാൻറു മുതലായതു കൂടി കൊടുത്തു മാക്കറ്റിൻറെ സ്ഥിതി നന്നാക്കണമെന്നു പ്രസ്താവിച്ചുകൊണ്ടു ഞാൻ ഒരു ഉപക്ഷേപത്തെ പിൻതാങ്ങിക്കൊള്ളുന്നു.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : There is an identical motion against Mr. Kesava Pillai's name. If he does not speak now he may not get an opportunity for doing so.

MR. R. KESAVA PILLAI (*Kottarakara cum Kunnattur*) : I do not wish to make my motion.

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*) : Sir, I quite agree with what some of the members have stated

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that the condition of the markets is not quite satisfactory. We are trying to do our best to improve matters. Many of the markets have no walls and no sheds and some of them are still without stalls and in many places like the Chengannur market the site is not levelled and I have asked all the local officers, (the Tahsildars,) to try and get all these things attended to as soon as possible. As regards the markets, the work of the Revenue Department is confined to petty works and to the pay of the menials, and so on. For the purpose of doing some work a good amount has been allotted in our budget for this year. We have allotted Rs. 7,344 for the pay of menials and Rs. 21,445 for Land Acquisition charges and over Rs. 17,000 for our petty works—works which cost less than Rs. 500. I think the Public Works Department has also provided about Rs. 20,000 for major works and the Dewan Peishkars have also now provided for watermen in each market and I think there are two men for Monday market alone. They have also provided for Sweepers and for other sanitary arrangements in all the other places. I have got a list of works proposed for the next year. It is a very long list and I doubt whether I can read it through within the time allotted to me. If any member wants to know anything about the list I can let him see it afterwards. It makes provision for decent sheds wells, cattle stands and all other things which are necessary. In these circumstances, I hope the member will withdraw the motion.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Will the member kindly tell me whether he has any serious objection to transferring the control of markets to the Public Health Department.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): At present we put up the markets to auction and we have to recover the costs and so on. A certain amount of supervision is done by the Sanitary Department and a certain amount of control is exercised by the Revenue Department. If the Sanitary Commissioner will make any proposals as to that matter it will be considered. We are trying to co-operate—

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I am sorry I cannot hear him.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): At present the Sanitary Commissioner and the Revenue Department co-operate in working the Market Regulation. The Revenue Department sells markets in auction and collects the revenue and the Sanitary Department makes inspection as to the Sanitary arrangements and so on.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): In the Report for the Land Revenue Department for the year before last, the Land Revenue Commissioner stated "that the sanitary condition of both the public and private markets was on the whole fairly satisfactory." But the Sanitary Commissioner has stated that "I inspected several markets in the State and found almost all of them kept in a very insanitary condition". How does the member reconcile hese two statements?

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MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I do not know. The Sanitary Commissioner must be asked about it. He may have other ideas. He may not hold the same opinion as the Land Revenue Commissioner.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I wish to know why both these authorities differ widely?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): The sweepers are under the Land Revenue Department and the Sanitary Commissioner has got Sanitary Inspectors and I daresay that he is doing his best to make the sanitation of the markets as good as possible. The Tahsildar also inspects these markets; but some of them have three or four markets under them and they do not find time to inspect them all on one day.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): I am only pointing out the difference of opinion between two officers as to the Sanitary condition of these markets. May I know from the member whether these markets have separate latrines for men and women?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I do not think so. If the Sanitary Commissioner will recommend them we will have them.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Has Mr. Robinson received any recommendation for that purpose?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I have got a list of the proposed works and I will ascertain from it whether there is such a proposal.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Has Mr. Robinson any idea of building separate latrines for men and women?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I do not think it was mentioned. But I think that is a very good idea and I will bear it in mind.

MR. K. MADHAVAN PILLAI (*Trivandrum* cum *Neduvangad*): Thank you.

MR. A. THANU PILLAI (*Trivandrum*): In the light of what Mr. Robinson has said, I withdraw my motion.

The motion was, by leave, withdrawn.

Motions 24 to 26.

The following motions were not moved:

Mr. ITTOOP ITTEECHAN:

24. To reduce the allotment of Rs. 45,000 for improvement of markets by Re. 1.

MR. R. KESAVA PILLAI:

25. To reduce the allotment of Rs. 45,000 for improvement of markets by Re. 1.

MR. R. KESAVA PILLAI:

26. To reduce the allotment of Rs. 3,500 for land acquisition charges by Re. 1

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Motion 27.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Sir, I beg to move the following motion :—

To reduce the allotment of Rs. 3,11,772 for Taluk Cutcherries by Rs. 10.

My object in tabling this motion is to draw the attention of Government to some irregularities—some outstanding irregularities—with regard to service of demand notices and attachment of immovable properties.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I cannot hear.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Sir, the service of demand notice is an important item of procedure, one of the objects being to give intimation to the defaulter of the coercive steps that may follow. My submission is that demand notices are generally not properly served and I know of many cases where they are not served at all. The Tahsildar does not care to find it at all whether or not such notices are served and much less careful, I submit, is the subordinate functionary who has to actually serve the notices. What is generally being done is, the peons, who are entrusted with the notices, take them to the residence of the respective addressees and if they do not find the addressees there, they straight away come back and catch hold of somebody, a passer by, and make him attest an endorsement to say that the addressee defaulter refused to sign the notice. Such cases actually have come to my notice and, therefore, I can vouch, without fear of contradiction, as to the correctness of the statement. My submission is that it is in this way that these notices—very important notices are being served.

I see from the Revenue Recovery Regulation that the procedure to be adopted for the service of demand notices is to follow the provision in the Civil Procedure Code. It is therefore necessary that such notices should, as far as possible, be served personally. What I want to bring to the notice of the Government is that care should be taken to see that these notices are served personally. Sometimes it happens that the addressees live elsewhere or carry on business in some other stations. In such cases it is incumbent on the taluk authorities or the peon to find out the addressee or to direct the notice to his place of residence. What I submit is that, for want of proper service of notice to the defaulters, much hardship is being caused to the general public, as in some cases lands are sold away; and when the owners actually come to learn of the auction sale thirty days after the sale they are not able to do anything, the prescribed time limit having expired. They are driven to the only course of instituting a suit which means considerable hardship.

Another grievance caused to the general public by the mischief brought by the Revenue authorities is with regard to the attachment of immovable property. It is here that I say the procedure adopted by the

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[Mr. N. K. Krishna Pillai.]

Taluk authorities is hopelessly irregular and even illegal. Under Section 5 of the Regulation it is only the property of the *defaulters* that could be attached. But what is generally being done is to attach the property of the person in possession. By defaulters is meant the actual registered holder, the registered pattadar, and not the person in possession. I know several instances where the property of the person in possession has been attached. What I submit is that this is a very dangerous procedure; because the person actually in possession at the time of the attachment might not have been the person in possession the previous year. In such cases particular care should be taken to act up to the provisions of the Regulation, namely, to attach only the property of the person described as defaulter in Section 5 of the Regulation.

Another important matter to which I would draw the pointed attention of the Government is the manner in which Section 41 of the Regulation is followed by the Taluk authorities in actual practice. Section 41 reads thus:

"It shall be lawful to the Division Peishkar or Tahsildar to attach or sell the whole or any portion of the land of a defaulter for the recovery of arrears of revenue, provided always that no larger portion of the land shall be attached or sold than may be sufficient to discharge the arrears with interest and expenses of attachment and sale."

But what is actually being done is just the reverse. What the section says is that only such portion of the property as is actually necessary to cover the amount due should be sold. But in practice the whole property is sold away for the small amount due. I have recently come across two instances which I shall place before the House. In the Kalkulam taluk, very recently, as a matter of fact, about 15 cents of very fertile paddy land were sold away for Rs. 34 whereas according to the market value obtaining in that locality the 15 cents would fetch Rs. 200. And in my own constituency a plot of ground measuring about 5 cents, which lies in the very heart of the town was sold for Rs. 12 and odd while it would easily be worth Rs. 200. My submission is that these matters should be carefully considered by the authorities so that hardship might not be caused to the general public. It is to put an end to this hardship that I have brought this matter to the notice of the Government. With these remarks I place the motion for the acceptance of the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): There are a number of identical motions following this. Motions Nos. 28, 29 and 30 are identical motions. They are all token motions relating to the same head. Only one motion can be voted upon; the other members may have to speak on that motion. Although the amounts proposed to be reduced are different, the motions are identical since all of them are token motions. It is not the amount of the proposed reduction that matters.

MR. G. P. NILAKANTA PILLAI (*Karunagapalli*): I support the motion. It has been brought to the notice of this Council several times that there is much irregularity in the issue and service of demand

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notices. A person may hold several pattas. The practice at present is to serve as many notices as he has pattas. That is absolutely unnecessary. The object of these notices is only to inform the pattadar that he has made a default, and also the amount that is due from him. It is therefore not necessary that more than one notice should be issued to him. Then again the pattadar may be one person and the owner another. The patta might have been wrongly issued. In spite of that demand notices are issued only to the pattadars. Another defect is that even when the properties happen to have been alienated to a stranger notices are issued only to the original pattadar for the simple reason that the patta has not been transferred to the name of the purchaser. The real owner may not know that notice was issued at all. The result is that the property is sold in auction without the knowledge of the owner. It is only when the Tahsildar actually comes to the spot for delivering the property to the alienee, the auction purchaser, that the owner comes to know that his property has actually been sold away in revenue auction. I support this motion simply to bring to the notice of the Government that such irregularities should in future be avoided.

MR. P. S. MAHOMED (*Nominated*): ഈ ഉപക്ഷേപത്തെ ഞാൻ പിൻതാങ്ങുന്നു. ഡിമാൻറുനോട്ടീസ് ഫീസുകൊണ്ടു ബുദ്ധിമുട്ടനുഭവിക്കുന്ന ജനങ്ങളിൽ ക്രൂതൽ സംഖ്യയും സാധുക്കളാണ്. സമയത്തിനു കരം ഒടുക്കാൻ സാധിക്കാതെ വരുന്നവർ പാവപ്പെട്ട ജനങ്ങളാണെന്നു പറയുന്നു. എന്നാൽ അവരുടെ മേലാണ് ഈ പിഴ മുഴുവൻ ചുമത്തുന്നതു. മിക്കവാറും ഫ ൦ ൦-നു ൬൫ വീതമുള്ള നോട്ടീസുകൾ അവർ അറിയാതെ കണ്ടുതന്നെ നടത്തുകയാണു പതിവു്. അതു് ഓരോ ഡിപ്പാർട്ടുമെൻറിന്റെ മേലധ്യക്ഷന്മാരും സൂക്ഷിച്ചു പരിശോധിക്കയാണെങ്കിൽ മനസ്സിലാക്കാൻ സാധിയ്ക്കും. അവസാനമായി നാലുചക്രം കൊടുക്കുവാൻ നിവൃത്തിയില്ലാത്തവർ എട്ടുചക്രം കൊടുക്കേണ്ടതായിട്ടു വരുന്നു. നാലുചക്രംവീതമുള്ള നാലുനോട്ടീസുകൾ അവന്റെപേരിൽ നടത്തിയാൽ അവൻ പതിനാറുചക്രം കൊടുക്കേണ്ടതായിട്ടുവരുന്നു. ചിലപ്പോൾ അവൻ അറിയാതെതന്നെ അവർ അവന്റെ വസ്തു ലേലത്തിൽ വിറ്റു ഈടാക്കുന്നതിനിടയുണ്ടു്. ഇങ്ങിനെ പല വസ്തുക്കളും ലേലത്തിൽ വിറ്റുപോയിട്ടുണ്ടു്. ഒരു രൂപായ്ക്കുവേണ്ടിയും, വിലപിടിക്കുന്ന പല വസ്തുക്കളും ഇങ്ങനെ വിറ്റുപോയിട്ടുള്ളതായി എനിക്കറിയാം. ഈവിധത്തിൽ നഷ്ടപ്പെടുന്ന വസ്തുക്കളെല്ലാം ദരിദ്രന്മാരുടെതാണു്. ഇങ്ങനെ ഒരു നാലുചക്രം ഗവണ്മെൻറിനു ഈടാക്കിയേ കഴിയൂ എന്നു നിർബന്ധമാണെങ്കിൽ അതു് അഞ്ചൽമാസ്റ്റം ആക്കിയാൽ നന്നായിരിയ്ക്കും. അ

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[Mr. P S. Mahomed.]

ഞൽഡിപ്പാർട്ടുമെൻറ ഒരു കമ്മേർഷ്യൽ ഡിപ്പാർട്ടുമെൻറാണെന്നു ചി നാൻഷ്യൽസിക്രട്ടറിയുടെ പ്രസംഗത്തിൽ പറഞ്ഞുകാണുന്നുണ്ട്. അ തുകൊണ്ടു ഡിമാൻറുനോട്ടീസു രജിസ്റ്റർചെയ്തു അയച്ചാൽ നിശ്ചയമാ യും കക്ഷിക്കു കിട്ടുന്നതാണ്. ഇതുമൂലം ഞഞ്ചൽഡിപ്പാർട്ടുമെൻറിനു ഒരു ആദായം ഉണ്ടാകുന്നതും ജനങ്ങൾക്കു വളരെ സൌകര്യപ്രദവുമാണ്. ഒരു മൂന്നരചക്രം കഷ്ടപ്പെട്ടെങ്കിലും ചിലവാക്കിയാൽ അതു നിശ്ച യമായും കിട്ടുമെന്നു ജനങ്ങൾക്കു വിശ്വാസമുണ്ട്. അതുകൊണ്ടു ഫാസ് കുറയ്ക്കുവാൻ നിവൃത്തിയില്ലാത്തപക്ഷം ഇങ്ങനേയെങ്കിലും ചെയ്തുകൊടു ത്താൽ കൊള്ളാമെന്നാണു എൻെറ അഭിപ്രായം.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*) : Sir, I also support the motion of Mr. N. K. Krishna Pillai. Sir, a cut motion for the very same purpose was brought in this council three years back by Mr. C. P. Kochukunju Pillai ; and the Land Revenue Commissioner then promised that he would see that separate notices are not issued to the same person holding a number of pattas. But even now if a person holds a number of pattas for different properties in the *same* pakuthi several demand notices *are* issued to him and he is thereby made liable to pay demand notice charges at 4 chackrams per patta. I submit that this is really very hard. It is a regrettable fact that the Land Revenue Commissioner has not tried to give effect to his promise made three years back. From the figures it is clear that out of the 41 lakhs of rupees realised as Land Revenue in 1101 demand notices were issued and coercive action taken for the realisation of about 20 lakhs of rupees. This clearly shows that the people of the country are not, after all, very rich and that most of them find it difficult even to pay land tax. I therefore hope that the Government will see that this system of issuing separate notices to the same person holding a number of pattas is changed and that the high rate charged for demand notices is reduced.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : My friend Mr. Krishna Pillai was saying that the custodians of the property should not be coerced to pay tax and that it is the real owners that must be made to do it. Unfortunately in Travancore, in the majority of cases, it is the mortgagee that is in possession of the property and the mortgagor who is the real owner would be in some distant place. The greedy mortgagee just to get the jenmom right of the property makes a default in the payment of land tax despite the recital in the mortgage deed for the payment of the land tax by him so that the property might be sold in auction for arrears of tax and he could purchase the jenmom right for a nominal price. I therefore urge upon the Government to see that, as far as possible, the Tahsildars are directed to see that the jenmom rights are not sold away, particularly in cases where the mortgagee has a hand in it and happens to be the auction purchaser. In the cases mentioned by Mr. Krishna Pillai, most probably, the

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mortgagees might have colluded just to see that they get the jenmom rights. It would therefore be better if the suggestion made by Mr. Mahomed, namely, of sending registered notices through Anchal were to be adopted though that involves a penalty of 3½ chackrams in addition to the 4 chackrams now charged.

MR. P. S. MAHOMED (*Nominated*) : I did not say that 3½ chackrams should be levied *in addition to* 4 chackrams.

MR. T. C. KESAVA PILLAI (*Kalkulam* cum *Vilavankod*) : In that case it is allright. I support the motion.

MR. REVATINAL RAMA VARMA RAJA (*Edavagai*) : മിസ്റ്റർ കൃഷ്ണപിള്ള, ഈ ഡിമാൻറ് നോട്ടീസ് സെർവു ചെയ്യുന്ന മാതിരി തെറാണെന്നു പറയുന്നോ അതല്ല ഒരു നോട്ടീസ് സെർവു ചെയ്യേണ്ട ആവശ്യമേയില്ലെന്നു പറയുന്നോ, എന്നറിഞ്ഞാൽ കൊള്ളാം.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : നോട്ടീസ് സെർവു ചെയ്യണമെന്നു തന്നെയാണ് എന്റെ അഭിപ്രായം. അതു കഴിയുന്നതും പേർസനൽ ആയിട്ടു തന്നെ വേണം.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : As regards the observation of Mr. N. K. Krishna Pillai, I heard the same complaint during the course of my hearing of appeals ; and as a result I issued a circular to the officers of the Department drawing their attention to this very defect that Mr. Krishna Pillai has now pointed out. I pointed out to them that Section 24 of the Regulation requires that notice of attachment should be affixed in a conspicuous part of the land. I also asked the Dewan Peishkars and the Tahsildars to see that all the requirements of the Civil Procedure Code are carefully carried out and to take severe action in cases where that was not done. I shall send the circular for the information of Mr. Krishna Pillai if he wants.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : Will the member mention any case in which action was taken and the matter reported to him ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I did not hear what the member said.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*) : Will Mr. Robinson mention any case in which action was taken and the matter was reported to him ?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I have taken action myself, as cases came up in appeal.

Mr. P. S. Mahomed and Mr. Damodaran Asan stated that one pattadar owning lands in several places should have only one demand notice issued to him. It was pointed out by me on the former occasion when the question was discussed in this House that if a person owns lands in several pakuthies it will not be possible to issue one demand notice to him for the arrears in all the several pakuthies together. The

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[Mr. S. C. H. Robinson.]

man may live in Trivandrum and he has lands in Parur and in Devicolam. It is the Proverthikar that prepares demand notices. How can one Prove thikar prepare a demand notice for the lands in different pakuthies? And in such cases, who is the Proverthikar that should do it? But if a man has several holdings in one and the same pakuthi he should certainly get only one demand notice.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): But even that is not being done now.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): If specific cases are brought to the notice of the authorities action will be taken.

If any instances are brought to notice we will rectify them. Government passed an order to that effect and it was the same Government order wherein it was stated that if a demand notice is not actually served, no fee should be charged.

MR. V. CHELLAM PILLAI (*Tovala*): May I know whether this system is followed in the Tovala Taluk?

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): It should be carried out in all places.

MR. V. CHELLAM PILLAI (*Tovala*): May I know whether such a system—

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): The presumption is that the order is being carried out. It has not been brought to my notice that the order has not been carried out.

I think one member wanted a reduction in the fees fixed for demand notices. As regards that point, I may say that that point was argued before. The present fee for a demand notice is only Chs. 4 and that is only paid by the defaulter. Government carefully considered this point before and I would point out in this connection that the total number of demand notices issued during each of the last three years from 1100 to 1102 is as follows—

1100	...	5,20,000
1101	...	5,02,000
1102	...	4,66,000

Now, the cost of stationery for these 5,00,000 demand notices which should be issued in duplicate, the cost of printing, the cost of sending them to the various pakuthies, the cost of labour on the part of the Proverthi peons in having them served, these come to a round big sum. I know as a matter of fact that the whole time of the Pakuthi peons for about 4 months of the year during the kist months is occupied in serving demand notices. We have only 908 Pakuthi peons in the whole State and they have to serve about 5,00,000 of demand notices. Most of the pakuthies are very extensive. For instance, 61 pakuthies are about 20 miles square, 98 pakuthies between 10 and 20 miles and 137 between 5 and 10 miles; and these unfortunate pakuthi peons have to go round these pakuthies serving these demand notices. The pattadars live scattered all over the Pakuthies, and the pay of the

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pakuthi peons who serve these notices should really be debited to the cost of these demand notices. This comes to about Rs. 29,000. Then you have got the expenditure incurred on account of printing and so on of these demand notices and the total expenditure over these notices would come to Rs. 35,000. I do not think it is too much to ask the defaulters to bear this cost. Why should the tax-payer who pays his tax regularly have to pay this and everybody knows that the payment of tax is due before a fixed date. In British India they do not have these demand notices. If the tax-payer in British India does not pay his tax by a certain date a notice is put up at the local office for information and then the lands are sold. It saves the cost of serving these demand notices. Here we serve notices only on defaulters and we only charge defaulters. I do not see how the fee for the notice can possibly be lowered. I may say that about 75 per cent of the demand notices which are prepared are not actually served because in many cases the parties pay their tax before time and also for various other reasons.

I do not see how demand notices can very well be sent by Anchal. We thought of sending them by Anchal but we found that it might be a source of hardship to the tax-payer because there is no proof that a notice sent to him has been received by him and it is very easy for the authorities to say that they sent a notice. Sending notices by registered Anchal is possible, but I think it will be more costly to the tax-payer. After all these notices are only issued to defaulters and why should a person who pays his tax regularly have to pay this fee at all?

I have met all the points raised by the members and in the circumstances I trust the motion will be withdrawn.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): Sir, if Mr. Robinson will assure me that more vigorous action will be taken to find out erring officers and to give them condign punishment, I will withdraw my motion.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): That will be done.

MR. N. K. KRISHNA PILLAI (*Neyyattinkara*): I beg leave to withdraw my motion.

PRESIDENT: Does the House permit the member to withdraw the motion?

The motion was, by leave, withdrawn.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): Motion 30 is identical with the previous motions.

Motions 28 to 30.

The following motions, being identical with motion 27, were deemed to have been withdrawn:

MR. MURUVELIL PATCHU PILLAI:

28. To reduce the allotment of Rs. 3,11,772 for Taluk Cutcherries by Rs. 10.

MR. K. MADHAVAN PILLAI;

29. To reduce the allotment of Rs. 3,11,772 for Taluk Cutcherries by Rs. 100.

MR. MURUVELIL PATCHU PILLAI:

30. To reduce the allotment of Rs. 3,11,772 for Taluk Cutcherries by Rs. 100.

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Motion 31.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Sir, I beg to move the following motion:

To reduce the Allotment of Rs. 1,03,322 for Proverthikars by Re. 1.

I have stated in my motion that I wish to discuss the necessity for improving the status of Proverthikars. In former times these Proverthikars had a very high position and status in Government service as well as in society. But now it is degrading to be a Proverthikar mainly due to the want of kind treatment at the hands of the Government. Proverthikars, as we all know, have got very heavy responsibilities to be discharged in the administration of the country. I may enumerate a few :-

(1) Collection of taxes.
(2) Maintenance of Pakuthi records.
(3) To give evidence in Civil cases where Government is a party.
(4) To keep records of marriages taking place in their pakuthies.
(5) To prepare Legislative Council and Popular Assembly Electoral lists.
(6) To attend to State Guests and tours of officers.
(7) To report on accidental deaths.
(8) To report on the grant of agricultural loans.
(9) To take evidence on encroachment cases.
(10) To help the Tahsildars in the disposal of puduval cases and many more which I do not at present exhaustively enumerate. From the list of duties of the Proverthikars which I have given every one can understand the variety of business which the Proverthikars have to discharge and for this onerous work which he does, he is paid comparatively but a very poor salary, when the pay of men holding the very same position in other departments is taken into consideration. There is, for example, the Forester, the Police Constable and the Petty Officer in their respective departments. Though these officers are paid very small salaries they have got prospects of promotion to become Rangers, Sub-Inspectors and Police Inspectors. But there is no opportunity for promotion for the Proverthikar. When once he becomes a Proverthikar, the highest prospect of promotion which he can expect is to become the Proverthikar of the highest grade. My submission is that he must be given the very same chances for rising as in the cases with his compeers in other departments. For these reasons I suggest that the Proverthikars must be recruited from a body which has got better qualifications, and better education. In our State there is now the problem of unemployment. There are many educated men both graduates and undergraduates. If they are recruited to the service they will do their duties properly and there will be no bar to give them promotions. They can rise to the post of head accountants ; they can even become Tahsildars. So I submit that a thorough re-organisation must be effected in the recruitment of Proverthikars.

MR. D. C. JOSEPH (*Agastiswaram*): What is the maximum pay of the Proverthikars?

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*): Rs. 24 is the maximum to which a Proverthikar is entitled.

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I think the question of the reorganisation of this staff should be taken into consideration by the Government.

MR. MATTHEW MURIKKAN (*Vaikam*) : I second the motion brought forward by my friend Mr. Kesava Pillai. He has enumerated the duties of the Proverthikars. In fact, it is no exaggeration to say that the Proverthikar is practically the back-bone of the Land Revenue Department. It is clear that some sort of reorganisation is necessary for improving the status of the Proverthikars. It can be done only by recruiting more qualified hands such as graduates and under-graduates. Graduates are recruited in the Police department and they are given some preliminary training. As in the case of these apprentices some preliminary training may be given to the hands newly recruited in the taluk cutcherry under the supervision of the Tahsildar. Some such arrangement will be necessary and I am sure that it will also improve the condition of the lower ranks of the revenue department.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I find that this question has been brought before and I may say that the Government are not unmindful of the pay and future prospects of the Proverthikars. It is only very recently that Government increased the number of First Grade Proverthikars from 56 to 100 by abolishing the corresponding number in the lower grade. Later on, with a view to better their prospects, they increased the number in the second and third grades lessening the number in the bottom grade. It is only a question of money. Government have many demands at their hands from various departments and it is not easy to decide where money should go. I know that Government have this question in their mind and they have done what they can do in the matter. I am sure the matter will receive sympathetic consideration as opportunity occurs. In these circumstances, I hope the member will withdraw the motion.

MR. R. KESAVA PILLAI (*Kottarakara* cum *Kunnattur*) : I withdraw the motion.

PRESIDENT : Does the House permit him to withdraw the motion.

The motion was, by leave, withdrawn.

Motion 32.

The following motion being identical with motion 31, was deemed to have been withdrawn:

MR. MATTHEW MURIKKAN:

32. To reduce the allotment of Rs. 1,03,322 for Proverthikars by Rs. 5.

Motions 33 to 44.

The following motions were not moved:

MR. K. P. NILAKANTA PILLAI:

33. To reduce the allotment of Rs. 2,83,409 for establishment by Rs. 624.

MR. A. THANU PILLAI:

34. To reduce the allotment of Rs. 2,83,409 for establishment by Rs. 572.

MR. MURUVELIL PACHU PILLAI:

35. To reduce the allotment of Rs. 2,83,409 for establishment by Rs. 52.

MR. TARIATU KUNJITOMMAN:

36. To reduce the allotment of Rs. 2,83,409 for establishment by Rs. 5.

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MR. A. S. DAMODARAN ASAN:

37. To reduce the allotment of Rs. 3,05,000 for Proverthi Cutcherries by Re. 1.

MR. TAMARAPALLIL KOCHUTOMMAN:

38. To reduce the allotment of Rs. 3,05,000 for Proverthi Cutcherries by Rs. 5.

MR. TAMARAPALLIL KOCHUTOMMAN:

39. To reduce the allotment of Rs. 3,05,000 for Proverthi Cutcherries by Rs. 5

MR. N. R. KRISHNAN;

40. To reduce the allotment of Rs. 3,05,000 for Proverthi Cutcherries by Rs. 10.

MR. K. MADHAVAN PILLAI:

41. To reduce the allotment of Rs. 3,05,000 for Proverthi Cutherries by Rs. 100.

MR. A. S. DAMODARAN ASAN:

42. To reduce the allotment of Rs. 15,190 for Kandukrishi Cutcherries and Nelpuras by Rs. 12,000.

MR. R. RAMAN PILLAI:

43. To omit the allotment of Rs. 16,800 for Revenue Supervisors.

MR. MATTHEW MURIKKAN:

44. To omit the allotment of Rs. 16,800 for Revenue Supervisors.

Motion 45.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): Sir, I beg to move the following motion:-

To reduce the allotment of Rs. 42,238 for establishment by Rs. 4,950.

Sir, the object of this motion is to indicate that there is no necessity for the additional establishment provided for in the budget. It was only very recently that the L. R. M. Committee was appointed and it submitted a report according to which some arrangement was made with reference to the Taluk staff and the staff of the Survey Department. Before that committee the Survey Superintendent agreed that it would be possible to run the whole department with the help of 26 surveyors although he was having at that time 40 surveyors and 5 additional surveyors. Acting upon this suggestion of the Survey Superintendent, he was given all that he asked for and later 16 surveyors were sent to the taluk as Revenue Supervisors. To help these men they were given an additional staff of something like 230 survey accountants and 450 peons including the staff already existing in the taluks. When we come to the work which is to be done in the Survey Department and in the taluks, the main work constitutes plotting sketches and this is done in the Taluk Offices with the help of the present village staff. The main work of the Survey Department is the checking of plottings and finally passing them. This arrangement was accepted by all and it was put into operation and working satisfactorily some time. Though this was done in the year 1102 in 1103 the Survey Superintendent made a demand for additional staff and accordingly in the budget for 1103 the proposed staff was provided for. To an interpellation which I put to this House to state the main duties of the various staff now given to the Survey Department it was answered that with the present staff it was impossible to cope with the work. The main point I would press on the attention of the House is, this additional staff is absolutely unnecessary. Their main work is to check the work of the village staff and finally pass the plotted sketches in the

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taluk. Under the present system the Proverthikars and Accountants are also expected to know survey. This has considerably minimised the work of the Survey Office. In the Administration Reports of the Land Revenue Department for 1101 and 1102 we do not find any indication that the existing staff in the Survey Department is unable to cope with the work which it has to do. Under these circumstances, when every one is agreed that it is possible for the Survey Department to cope with the work by the existing staff of 26 Surveyors and five Head surveyors as asked for and provided for, I do not understand why year after year an additional staff is asked for. Even going beyond the recommendation of the L. R. M. Committee last year he was given additional staff. This year also there is another provision for additional staff comprising 14 temporary draftsmen, 5 draftsmen, 3 accountants and 1 typist. This is an enormous scheme. If it is only a matter of asking for one or two hands I think this House will have no objection for allowing that. Under these circumstances, I move this motion for the acceptance of the House.

MR. TAMARAPALLIL KOCHUTOMMAN (*Pattanamtitta*) : മിസ്റ്റർ നീലകണ്ഠപ്പിള്ളയുടെ ഉപക്ഷേപത്തെ ഞാൻ ഹാർദ്ദമായി പിൻതാങ്ങുന്നു. ലാൻറ്റവന്യൂ സ്കീം കമ്മിറ്റിമുമ്പാകെ സപ്ലിമെൻറ്റണ്ടു ഇരുപത്തിനാലു സർവ്വെയറന്മാരെയും അഞ്ചു ഹെഡ് സർവ്വെയറന്മാരെയും കൊണ്ടു ജോലിചെയ്യിക്കാമെന്നു സമ്മതിച്ചിരിക്കെ അതു തീർക്കാൻ സാധിക്കാതെ ഫ 0 ഫ-ലും ഫ 0 വ-ലും ഇത്രവളരെ കൂടിശ്ശിഖവരുന്നതിന് കാരണമെന്താണെന്നു മനസ്സിലാകുന്നില്ല. ഫ 0 ഫ-ൽ ക്ലൃതൽ സ്റ്റാഫ് ആവശ്യപ്പെട്ടിട്ടുണ്ടു. ഇങ്ങിനെ ക്ലൃതലായി ആണ്ടുതോറും ആവശ്യപ്പെട്ടാൽ ഇതു മറ്റുള്ള ഡിപ്പാർട്ടുമെൻറിനു ഒരു ദൃഷ്ടാന്തമായിതീരും. അതിനാൽ ക്ലൃതൽ സ്റ്റാഫ് അനുവദിക്കരുതെന്നുള്ള അഭിപ്രായത്തോടുകൂടി മിസ്റ്റർ നീലകണ്ഠപ്പിള്ളയുടെ ഉപക്ഷേപത്തെ ഞാൻ പൂർണ്ണമായി അനുകൂലിക്കുന്നു.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I can assure the House that I hate coming before it with any request for additional staff because I am also a taxpayer. Members on the other side of the House are also taxpayers. We never come forward for any additional staff unless there is an absolute necessity for it. The staff that I am now asking for is the office staff. It comprises one typist and two accountants. During the re-organisation of the department no typist was given to that office. I am asking for only one typist and he is required for typing all the letters. We were however pulling on all this time without a typist and it is only now that I ask for a typist.

The two accountants I am asking for are needed to help the Head Accountant in the Office. The Head Accountant's work there is very heavy as I shall show you presently. It is impossible for one hand to

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[Mr. S. C. H. Robinson.]

do the work single handed. He has to prepare bills for office establishment, field establishment and temporary staff. He has to check the T. A. bills of the office and officers. He has got to check bills relating to survey advances. Advances are given to various taluks. And various bills received on that account have to be checked by him. There are expenses incurred by the field staff and all these are to be checked by this single hand.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : This is the main work of the department.

MR. S. C. H. ROBINSON (*Land Revenue and Income-Tax Commissioner*) : All this had to be done by one clerk in the office till now. Further he had to maintain service books. He has to do the work of the reconciliation of the departmental figures, cash work such as making payments, sending money to the District staff outside and writing up of the daily account in connection with survey advances and accounts relating to recovery statements. He has also to make adjustments in advances. He has to prepare budget estimates, draw up pension applications and correspondence relating to all these. Is it possible for one man to do all this single-handed? That is why I am asking for two men to help him and one typist also. I ask the members to seriously consider whether all this is possible by one accountant. Under these circumstances it is unnecessary for me to say anything further in the matter and it is therefore that I ask for this provision of two accountants and one typist. I hope the house will grant this provision.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): The reply by the Land Revenue Commissioner did not cover my whole question and is not satisfactory also. If at all he has made out a case, he has made out a case for two accountants and one typist. This staff can be allowed if Mr. Robinson would bring the necessity for this staff next time as a supplementary demand. To ask us to allow this demand without giving details is not proper on the part of the Commissioner. What I have moved and discussed is a thing which is entirely different from the reply given by the Land Revenue Commissioner. Under the circumstances I press this motion to a division.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I think that Rs. 4,950 includes the pay of two accountants and one typist alone.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : I thought Mr. Robinson has finished his speech.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : I am only giving an information to the member that Rs. 4,950 includes the pay of two accountants and one typist and there is no allotment in this for the enchanced pay of draftsmen.

PRESIDENT : Mr. K. P. Nilakanta Pillai proposes a reduction of Rs. 4,950 being the amount proposed to be paid for the additional staff under office establishment.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Does that amount include the pay of the draftsmen also ?

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MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : Yes.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : It is not clear from the budget that this amount includes the revision of pay of the Head Clerk from Rs. 40-60. The Head Accountant also is to be raised in that scale.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : I beg to submit that this must have struck the Land Revenue Commissioner when he made the reply. Now it is too late to create a technical difficulty in the way.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Figures are very important and I want a definite account of that.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : The Land Revenue Commissioner can very well refer to page 32 of the Budget.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*) : When the amounts are added I think it comes to more than Rs. 4,950.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : That is exactly the difficulty I want to explain to the President.

PRESIDENT : What the member explained to me was that although the amount shown here is 4,950, according to his notes on this part of the budget, the actual amount he wished to be reduced was Rs. 5,400 representing the total cost of the additional establishment. That being the case, what will come to the vote is the total cost of the whole of the additional establishment proposed and provided for in the budget. It comes to Rs. 5,400 instead of Rs. 4,950.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissoner*) : May I know whether the member will be willing to allow part of it, if he is not willing to pass the whole of the amount.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) ; There is not much time to think about it now. I suggest that the better way is to bring in a supplementary demand. In the meanwhile he may divert money from other sources and maintain the additional staff.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : We cannot divert the amount at the beginning of the year. If we have no money at the beginning of the year to carry on work, the work will suffer.

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : I think when a supplementary demand is made, this side of the House will favourably consider it.

MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*) : Will the member be pleased to allow one typist and two Accountants?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*) : I have no objection.

PRESIDENT : Then the question coming to the vote is the whole cost under temporary staff excepting the amount that is necessary for one typist and 2 Accountants.

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MR. S. C. H. ROBINSON (*Land Revenue and Income Tax Commissioner*): I accept the motion with the modification agreed to, subject to the condition that I shall be allowed to come again before the House for a supplementary grant for the balance.

The motion as modified above was accepted by the House, viz., reduction of allotment of Rs. 42,238 by Rs. 4,180.

Motions 46 and 47.

The following motions were not moved:

MR. TAMARAPALLIL KOCHUTOMMAN:

46. To reduce the allotment of Rs. 42,238 for Establishment by Rs. 1,000.

MR. R. RAMAN PILLAI:

47 To omit the allotment of Rs. 1,653 for a new temporary survey school.

Motion 48.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I beg to move the following motion:—

To reduce the allotment of Rs. 5,000 for travelling allowance by Rs. 1,200.

Sir, my object in bringing this motion is to reduce the travelling allowance of the Survey Superintendent who has been now given a personal allowance of Rs. 100 a month. It has been a matter of complaint from this side of the House that the Land Revenue Department is top-heavy and so this House could not sanction any increment in the pay of officers who are already getting a decent pay. The Superintendent of Survey is getting Rs. 500 and he has got his maximum pay and if the Government think that he is an efficient officer who should be encouraged and given a higher pay it will be better for the Govenment to give him a promotion by giving him a post somewherelse, which will fetch him a higher pay and it will not be proper for the Government to give personal allowance to such an officer in his present post. We are paying according to the work which is to be turned out by an officer and we cannot afford to give any allowance to officers simply because they are more efficient or because they deserve more. From the nature of the work detailed in the Administration Report of the Land Revenue Department it will be seen that the department does not require an officer drawing a higher salary than Rs. 500. And it could be seen that, even as regards his touring, he was in camp only for 80 days and his assistant was in camp only for 108 days. For inspection and management of the Land Revenue Survey Department we have got three officers, one from Rs.300 to 500, one from Rs. 200-300 and another from Rs. 100 to 150. What I have to say is that so many officers are not necessary and when we see that they are not necessary it may not be proper to give personal allowance to an officer who receives Rs. 500 as pay and we have seen the mischief that would be worked by having more officers than necessary.

MR. T. P. RAMASUBBA AIYAR (*Ag. Chief Secretary to Government*): His motion refers to the travelling allowance of the Superintendent of Survey. But he is talking about personal allowance granted to that officer.

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MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): Even then according to a Ruling when I ask for reducing a votable item I can speak of the allotment under a non-votable item just to show the protest of the House against the allotment under a non-votable item.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is not quite a correct way of putting it. The member wants to cut down the personal allowance of an officer which is Rs. 1,200 by reducing that very amount from his travelling allowance. This is not in order. Salaries and allowances of officers drawing above Rs. 125 are non-votable. Those cannot be attacked. It will be evident from Section 16 Sub-Section 4 of the Legislative Council Regulation which says:—

"That the proposals of Our Government for appropriation of revenues or moneys relating to the following matters shall not be submitted to the vote of the Council, nor shall they be open to discussion by the Council when the budget is under consideration."

One of those is "the salaries and allowances of officers appointed by Us" and another is "whose appointments as specified in the Rules made under this Regulation require Our sanction".

It has been notified that officers drawing above Rs. 125 are those whose appointments require His Highness's sanction. Their salaries and allowances are not therefore open to the discussion of this House. In discussing the policy of a department it may perhaps be suggested that the work of such and such officer is too much or too little and so on. But you cannot make a frontal attack on an officer and say that his allowance is too much and a sum representing that should be cut down.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): In Volume III, page 230 of the Legislative Council Proceedings we find a ruling to the effect that we can introduce a motion in regard to a votable item and point out that a Non-votable item of expenditure is not necessary and press for a division.

PRESIDENT: That relates only to the discussion of a question of policy and not a motion like this.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It is said that "if the motion is pressed to the division and if the House votes and carries the motion, it can only mean that Government will take into consideration either the abolition or reduction as the case may be and give effect to it as it thinks fit". (Vol. II, page 230.)

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): It is evidently Volume III and not Volume II that the member is referring to. I have got it here. If the whole of it is read it will be seen that there is no express ruling that such motions are in order.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It is expressly stated that in a discussion of the question of policy these things may be said. It was pointedly raised by Mr. G. Paramesvaran Pillai that the previous ruling should be reconsidered and the President ruled on that.

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MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): That is not the point here. In token motions you may discuss the policy. That is a diffierent matter. As the ruling in Volume III is referred to, I shall for the information of the House read what the then President said:

It is this:

"I think there is a doubt which it would be well to clear. As I have already said the appointment of the Commissioner at Devicolam is non-votable. But his establishment will be largely votable and the establishment has been classed as votable here. But the point of differentiation to which Mr. Nidiry has referred is, I think, very important because that point will be referred to again and again in the course of our budget discussion, and I think the view to be taken is that, when a motion comes before the House for the abolition of an establishment which involves the abolition of a non-votable appointment as a necessary consequence, that strictly is not votable by the House. If the object of a motion to reduce the provision for the establishment and contingencies which are provided for an officer who holds a non-votable appointment is to abolish that appointment, I think it should not be pressed to a division. Unless I give that as a ruling to be followed, I think we will be landed in an *impasse*, and the vote of the House will also not result in anything practical."

This is the "ruling" portion of it.

Probably it will be interesting to the House to hear what was stated in another legislative chamber in connection with this very same question. It arose in the Bombay Legislative Council and the question was identical. There a reduction motion was moved with the object of reducing the office of Commissioner which is non-votable. I shall read what took place at that debate. The President was, I think, Sir Narayan Chandavakar. I am reading from the VIII Volume of the Bombay Debates.

"THE HONOURABLE THE PRESIDENT: Do I understand the Honourable member to suggest that he has put down this motion merely for the purpose of getting rid of one of the Commissioners? Is that the motive?

"MR. G. B. TRIVEDI: Yes, Sir.

"THE HONOURABLE THE PRESIDENT: The Salary of a Commissioner is non-votable. I am afraid the Honourable member has brought himself perilously with the ruling of the chair in the House of Commons, that it is out of order to do indirectly what cannot be done directly. Parliamentary Debates House of Commons, IV series, column 163. There when the demand on the estimates was for the establishment of the Lord Chancellor, a member desired to move reduction of the salaries of the establishment in order to discuss the position of Lord Chancellor. But, as the Lord Chancellor's salary was non-votable, the Chairman ruled:

"It is out of order to do indirectly what cannot be done directly. The position of the Lord Chancellor cannot be discussed on this vote.

"That principle applies here. The Honourable member wants to discuss the position of the Commissioners by proposing to cut down their establishments. That cannot be allowed as the Commissioners are not on the vote.

"MR. G. B. TRIVEDI: The other day you gave a ruling that if we cannot touch,—

"THE HONOURABLE THE PRESIDENT: The Honourable member desires to carry on his warfare with the Commissioners by killing their baggage bearers as it were. That is not fair, and that is not in order. In Parliamentary Debates, House of Commons, IV series, Volume 28, columns 1426 to 1428, a demand having been made for the salaries of the clerks of the House of Lords, a member wished to move a reduction of the salaries on the ground that the House of Lords was obstructive, and the Chair ruled;

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"I don't think the policy of the House of Lords is open to discussion on the vote."

"MR. G. B. TRIVEDI: You yourself gave a ruling several times and made the suggestion that if we cannot touch a particular item being non-votable then we could reduce the establishment.

"THE HONOURABLE THE PRESIDENT: The honorable member can argue that the establishment of the Commissioners is too costly for the work the Commissioners have to do. That would be in order; but it would not be in order to discuss the position of the Commissioners that they are unnecessary and ought to be done away with or that their salaries should be reduced. The question on this vote relates to the duties and remuneration of the officials of the Commissioners' establishment."

This is at page 699 of the Debates.

The point came again for ruling in the same Session of that Council. This is what the President said then:

"THE HONOURABLE THE PRESIDENT: I think I have already ruled that there is a distinction between a question of a general or large policy for which Government in its executive capacity is differentiated from its subordinate officers such as these officers of the Jail Department. When questions of a large or general Government policy are to be raised, for which Government are responsible and for which Government can be hit through the Honourable Member in charge (in the present case, the Honourable the Home Member), you cannot raise a debate upon it unless the salary of the Member in charge is a votable item. That salary in the present instance, is not upon the vote. Therefore, there can be no debate, but the treatment of the prisoners inside a jail is internal administration for which the officers of the jail are responsible and is therefore a matter on which a debate can be raised. But the question of how political prisoners ought to be treated is a question of general Government policy and therefore only attention may be called and that has already been done here during this debate. If there is something in addition to that to which the honourable member for Sukkur desires to call attention, that may be allowed. I cannot allow this discussion to drift into a debate upon that question."

This is at pp. 758 and 759 of Vol. VIII of the Bombay Debates.

It will be seen from this that this House can discuss a question of policy relating to a department because the allotment for salaries and travelling allowances of the establishment of that Department is on the vote. But you cannot make a frontal attack on a non-votable officer, and say that that officer is not necessary. That would be directly against the express provisions of our Legislative Council Regulation.

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): It is not an attack upon the officer. What I said was that there was no necessity for an allowance. I fear my friend has not completely read the ruling in Vol. III. There it is clearly stated that the matter could be put to the vote and the Government might or might not accept it. That is a different question. So I think I am entitled to move the motion.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The question is, was the motion in order? Where is the ruling on that?

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): I would make a few observations on the point of order raised. Even though a motion is moved as regards a votable item, if the intention of the mover is to effect a retrenchment under a non-votable item, that motion is perfectly in order. If the motion is pressed and carried, the Government may consider the sense of the House and effect a retrenchment in the non-votable

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[Mr. K. P. Nilakanta Pillai.]

item or if they want to proceed further then they may come for an additional grant to continue the non-votable item. On this particular point there is a ruling in the Legislative Assembly Proceedings dated 14th March 1923. This is the point raised there.

"In the budget debate of 1923 a point was raised as to whether discussion of a non-votable item could be permitted on motions of nominal cuts relating to the votable items: and the President on the suggestion of the Home Member gave a ruling that the members could discuss the non-votable questions on the motions for nominal cuts in the votable items. The members have, however, in the past, gone further. They have reduced the demands for votable expenditure to use the cuts as a lever upon the Government to transfer it to the non-votable items. The constitutional position as far as this aspect of the matter is concerned admits of no doubt. As the Financial Member explained, when the Assembly reduces the demand by a particular amount the Government has to keep the expenditure on the votable item within the amount voted by the Assembly. It may, if it chooses, effect economies in the non-votable expenditure but if it wants to spend the original amount on the votable items, it has to come before the House with a Demand for a supplementary grant". (*Financial System of India* by Gyan Chand—Page 88).

The motion and the point of order just now being discussed is quite relevant to this point.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): The original debate must be read; not a mere extract. I have got the 1923 debates of the Assembly here. I shall explain it. Strictly speaking the Legislative Assembly Ruling has no relevancy to the procedure of this House. Because the law operating on the two Houses is not quite the same. Our Regulation says "nor shall they be open to discussion when the budget is under consideration." *i. e.* the non-votable matters. But in the corresponding provision for the Legislative Assembly there is the addition of words "Unless the Governor-General otherwise directs."

MR. K. P. NILAKANTA PILLAI (*Chirayinkil*): May I know whether the same certifying provision is not in our Regulation with respect to the right of the Presidents of the House.

MR. KAYALAM PARAMESVARAN PILLAI (*Additional Head Sirkar Vakil*): I am not referring to that at all. I am referring to the Section of the Government of India Act under the provisions of which the Assembly considers the Budget. That is Section 67 A, sub-section 3, which reads thus:

"The proposals of the Governor-General in Council for the appropriation of revenue or moneys relating to the following heads of expenditure shall not be submitted to the vote of the Legislative Assembly nor shall they be open to discussion by either Chamber at the time when the annual statement is under consideration."

So far, it is like our provision in Section 16 (4). But the Government of India Act Section has the following words as a rider:

"Unless the Governor-General otherwise directs."

I think what happened was this: under this provision the Governor-General passed an order throwing open some non-votable items for

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discussion. The President ruled that that order of the Governor-General applied only to the general discussion and not to the voting of demands. That was on the 13th March. On the next day, the 14th March, the Honourable Home member on behalf of Government said that they agreed to discussion of non-votable items at the voting of demands also, provided it was raised on a nominal cut. Thus a convention grew up out of a concession of Government under a legal provision. How can that help us in interpreting our legal provisions. Our Regulation, on the other hand, is unconditional and says that the non-votable items shall not be open to discussion when the Budget is under consideration. However, it is not a debate on a nominal cut motion *i. e.* to say on a token motion, that I am objecting to. Policy may be discussed on a token motion.

But this particular motion I submit is not a token motion even; it is for a specific cut. Therefore the member must speak specifically on the matter for which the item is allotted.

PRESIDENT: Mr. Damodaran Asan, as your motion is for a specific cut it is not a token motion. It is a motion to reduce Rs. 1,200 for a specific purpose namely to reduce the travelling allowance. It is not a token motion and therefore you are not entitled to speak on the subject of the Superintendent of Revenue Survey.

Do you press your motion to the vote?

MR. A. S. DAMODARAN ASAN (*Mavelikara* cum *Kartikapalli*): I press the motion to reduce the travelling allowance.

PRESIDENT: The time allotted for the demand is over. The remaining motions lapse. May I take it that the House passes Demand I—Land Revenue for Rs. 8,98,144 *minus* Rs. 4,280.

The motion was carried and the grant was made.

Motions 48 to 65.

The following motions lapsed:

MR. A. S. DAMODARAN ASAN:

48. To reduce the allotment of Rs. 5,000 for travelling allowance by Rs. 1,200.

MR. V. S. KRISHNA PILLAI:

49. To omit the allotment of Rs. 740 for contingencies in connection with the opening of another temporary survey school.

MR. TARIATU KUNJITOMMAN:

50. To reduce the allotment of Rs. 60,740 for Revenue survey by Rs. 5.

MR. V. S. KRISHNA PILLAI:

51. To reduce the allotment of Rs. 60,740 for Revenue Survey by Rs. 100.

MR. K. MADHAVAN PILLAI:

52. To reduce the allotment of Rs. 60,740 for Revenue Survey by Rs. 1,000.

MR. S. PIRAVIPERUMAL PILLAI:

53. To reduce the total allotment of Rs. 8,98,144 under Demand I by Re. 1.

MR. ITTOOP ITTEECHAN:

54. To reduce the total allotment of Rs. 8,98,144 under Demand I by Re. 1.

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MR. A. G. MENON:

55. To reduce the total allotment of Rs. 8,98,144 under Demand I by Re. 1.

MR. V. J. OOMMAN:

56. To reduce the total allotment of Rs. 8,98,144 under Demand I by Rs. 5.

MR. TARIATU KUNJITOMMAN:

57. To reduce the total allotment of Rs. 8,98,144 under Demand I by Rs. 5.

MR. N. R. KRISHNAN:

58. To reduce the total allotment of Rs. 8,98,144 under Demand I by Rs. 10.

MR. G. P. NILAKANTA PILLAI:

59. To reduce the total allotment of Rs. 8,98,144 under Demand I by Rs. 100.

MR. A. S. DAMODARAN ASAN:

60. To reduce the total allotment of Rs. 8,98,144 under Demand I by Rs. 100.

MR. K. MADHAVAN PILLAI:

61. To reduce the total allotment of Rs. 8,98,144 under Demand I by Rs. 100.

MR. TAMARAPALLIL KOCHUTOMMAN:

62. To reduce the total allotment of Rs. 8,98,144 under Demand I by Rs. 100.

MR. MURUVELIL PACHU PILLAI:

63. To reduce the total allotment of Rs. 8,98,144 under Demand I by Rs. 100.

MR. MATTHEW MURIKKAN:

64. To reduce the total allotment of Rs. 8,98,144 under Demand I by Rs. 100.

MR. P. S. MAHOMED:

65. To reduce the total allotment of Rs. 8,98,144 under Demand I by Rs. 100.

The Council adjourned at 5-23 P. M. to reassemble the next day.

P. N. KRISHNA PILLAI,
Secretary to the Legislative Council.

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